



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 31.08.2021

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.A(MD)No.331 of 2021

WEB COPY

Manichandran : Appellant/Petitioner/A3
Vs.

1.The Deputy Superintendent of Police,
Manamadurai Taluk,
Sivagangai District.

2.The State Rep. by
The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
(Crime No.72 of 2021)

: R1 and R2/Complainants

3.Murugan : R3/De-facto Complainant

Prayer: Criminal Appeal filed under section 14-A(2) of SC/ST (POA) Act, 1989 against the order of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, dated 30.07.2021 made in Crl.MP No.837 of 2021.

For Appellant : Mr.R.Uthayakumar

For R1 and R2 : Mr.RMS.Sethuraman
Counsel for State Government
(Criminal side)

For 3rd Respondent : Mr.G.Bhagavath Singh

O R D E R

This Criminal Appeal is directed against the order of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, dated 30.07.2021 made in Crl.MP No.837 of 2021.

2.According to the de-facto complainant, on 18.07.2021 at about 05.00 pm, while he was monitoring the work of digging drinking water tab, at that time the accused persons came and scolded him and his wife with filthy language and also by using caste name and tried to attack them and also threatened with dire consequence.

3.The learned counsel appearing for the appellant/A3 submitted that the appellant/A3 is an innocent person and he has



been falsely implicated in this case and he has nothing to do with the alleged occurrence and that the appellant is in jail from 19.07.2021 and he is only the bread-winner of the family.

4.The learned Standing counsel appearing for the respondents 1 and 2 submitted that the case is under investigation and if the appellant/A3 is released on bail, he will tamper the witnesses and prays for dismissal of the criminal appeal.

5.Heard the learned counsel appearing for the 3rd respondent and he has strongly opposed to enlarge the appellant/A3 on bail.

6.However, considering the facts and circumstances of the case and also considering the allegation levelled against the appellant/A3, this Court is inclined to allow the Criminal Appeal by setting aside the order passed in Crl.MP No.837 of 2021, dated 30.07.2021 by the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai.

7.Accordingly, this Criminal Appeal is **allowed** and the order passed in Crl.MP No.837 of 2021, dated 30.07.2021 by the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, is set aside. The appellant/A3 is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge and on further condition that the **Appellant/A3 shall stay at Madurai and report before the Inspector of Police, Tallakulam Police Station, daily at 10.30 am and 05.00 pm until further orders.**

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/ litigant concerned.



To

- 1.The Sessions Judge,
Special Court for Exclusive Trial of Cases Under SC/ST(POA) Act,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Manamadurai Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
- 4.The Inspector of Police,
Tallakulam Police Station,
Madurai.
- 5.The Officer Incharge,
Sub Jail, Paramakudi, Ramanathapuram District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.A(MD)No.331 of 2021
31.08.2021

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