



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Cr1.A(MD)No.375 of 2021

Singarayar ... Appellant/Accused No.1
.Vs.

1.The Deputy Superintendent of Police,
Nilakkottai,
Dindigul District.

2.The State Rep. by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Cr.No.983 of 2021)

...1st & 2nd Respondents/Complainants

3.Thangammal ... 3rd Respondent/Defacto Complainant

Prayer : This Appeal is filed under Section 14 (A) (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, to set-aside the order, dated 27.08.2021 made in Cr.M.P.No.665 of 2021 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Dindigul and enlarge the appellant on bail in connection with criminal case in Crime No.983 of 2021 on the file of the respondent police.

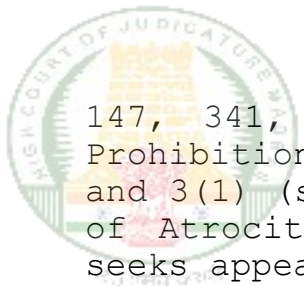
For Appellant	: Mr.J.Lawrance
For R-1 & R-2	: Mr.RMS.Sethuraman Additional Public Prosecutor
For R3	: No Appearance

J U D G M E N T

Heard Mr.J.Lawrance, learned counsel appearing for the appellant and Mr.RMS.Sethuraman, learned Additional Public Prosecutor appearing for the first and second respondents. No representation for the third respondent.

2.This Criminal Appeal has been filed to set aside the dismissal order of the bail petition in Cr1.M.P.No.665 of 2021 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Dindigul, dated 27.08.2021.

3.The Appellant, who arrested and remanded to judicial custody on 22.08.2021, for the offences punishable under Sections



147, 341, 294(b), 323, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1) (r) and 3(1) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2015, on the file of the respondent police, seeks appeal bail.

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4.The learned counsel appearing for the appellant would submit that the appellant has been falsely implicated in this case and the same has not been considered properly and the appellant is in custody from 22.08.2021 onwards.

5.Mr.RMS.Sethuraman, learned Additional Public Prosecutor, on instructions, would submit that the appellant herein is arrayed as A1. He would further submit that if the appellant/A1 is released on bail, he will tamper with the prosecution witnesses and hamper the investigation and therefore, he objected to grant bail to the appellant.

6.Considering the above facts and circumstances of the case, this Court is inclined to allow the Criminal Appeal by setting aside the order, dated 27.08.2021 made in Crl.M.P.No.665 of 2021 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Dindigul.

7.Accordingly, the Criminal Appeal is allowed and the order, dated 27.08.2021 made in Crl.M.P.No.665 of 2021 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Dindigul, is set aside. The appellant 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, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Dindigul, and on further condition that:

[a] the appellant shall appear before the **Batlagundu Police Station, Dindigul District** daily at 10.30 a.m. until further orders;

[b] the appellant shall not tamper with evidence or witness either during investigation or trial;

[c] the appellant shall not abscond either during investigation or trial;

[d] On breach of any of the aforesaid conditions, the Trial Court is entitled to take appropriate action against the appellant in accordance with law, as if the conditions have been imposed and the appellants released on bail by the



Trial Court itself as laid down by the Hon'ble
Supreme Court in **P.K.Shaji vs. State of Kerala**
[(2005)AIR SCW 5560].

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsd

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,
Dindigul.
- 2.The Deputy Superintendent of Police,
Nilakkottai,
Dindigul District.
- 3.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 4.The Superintendent,
District Prison,
Dindigul District.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-29725[F]
dated 21/09/2021)

Crl.A(MD)No.375 of 2021
21.09.2021

GC(22.09.2021) 3P 6C