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Crl.A.No.890 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.A.No.890 of 2022

Veeramani @ Aravind (A1, M/23),
S/o.Veerapan

... Petitioner

Versus

State rep. by
1.The Deputy Superintendent of Police,
Cuddalore, Cuddalore District.

2.The Inspector of Police,
Thiruppapuliyur Police Station,
Cuddalore District.
(Crime No.825 of 2021)

3.Savithri

... Respondents

Prayer: Criminal Miscellaneous Petition filed under Section 14 of the Scheduled Castes and Schedule Tribes Amendment Act, 2015, to set aside the order passed by the Special Court for SC/ST (POA), Act, Cuddalore, in Crl.M.P.No.826 of 2022, dated 22.07.2022 and enlarge the appellant/petitioner is on bail in connection with the Crime No.825 of 2021, pending investigation on the file of the respondent/police.

For Petitioner : Mr.S.Sarath Chandran

For Respondents : Mr.S. Vinoth Kumar,
Government Advocate (Crl. Side)



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ORDER

This appeal is against the order of the Special Court for SC/ST (POA), Act, Cuddalore, in Crl.M.P.No.826 of 2022, dated 22.07.2022, in S.C.No.38 of 2022, in and by which, the prayer of the petitioner for grant of bail, was rejected.

2.The learned counsel for the petitioner would submit that the petitioner was arrested on 19.09.2021 and he is in Judicial custody for a period of almost one year and the investigation is completed. Now, the Sessions case is pending before the Special Court. The co-accused, in this case was enlarged on bail by this Court, by an order dated 21.01.2022 in Crl.A.No.699 of 2021, therefore, he prays for bail.

3.Per contra, the learned Government Advocate would submit that the petitioner attacked the deceased with knife. Further, he would submit that there are no other antecedents against the petitioner.

4. Despite service of notice in this appeal, none appears on behalf of the third respondent/defacto complainant.



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5.I have considered the rival submissions made on either side and perused the material on records of this case.

6.Considering the fact that the investigation is completed in this case, the case is now pending before the Special Court and the petitioner/accused is in prison from 19.09.2021, and considering that the co-accused is also granted bail, the petitioner is also entitled to be enlarged on bail. Accordingly, the Criminal Appeal is allowed and the order passed in Crl.MP.No.826 of 2022, is set aside.

7.In view of the above, I am inclined to grant bail to the appellant/accused on the following conditions:-

(a) the petitioner is ordered to be released on bail, on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the Trial Court;

(b) the petitioner and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the learned Magistrate may obtain a copy of their Aadhar Cards or Bank Pass books to ensure their



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identities;

(c) the petitioner shall appear before the Trial Court on the first working day of every English Calendar Month at 10.30 A.M until the further orders.

(d) It is made clear that the appellant should be appear before the Trial Court on all the hearings without fail, and if he is not able to appear before the Trial Court on any day, he shall make arrangements to file an application under Section 317 of Cr.P.C., and shall appear before the Trial Court on any other day in *lieu* of the date of his absence, as directed by the Trial Court.

8.This Criminal Miscellaneous Petition is ordered accordingly.

26.08.2022

Index : yes/no

Speaking order/Non-speaking order

klt



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To

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- 1.The Special Court for SC/ST (POA), Act, Cuddalore.
- 2.The Public Prosecutor, High Court of Madras.
- 3.The Deputy Superintendent of Police,Cuddalore, Cuddalore District.
- 4.The Superintendent of Police, Central Prison, Cuddalore.
- 5.The Inspector of Police,Thiruppapuliyur Police Station,
Cuddalore District.



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D.BHARATHA CHAKRAVARTHY. J.,

klt

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