



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.A.(MD).No.18 of 2022

Ramachandran

... Appellant/Petitioner/
Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Pattukottai Sub Division,
Thanjavur District.

2.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
(Crime No.10 of 2022)

... Respondents 1 & 2/
Respondent/Complainant

3.Gowri

... 3rd Respondent/Respondent/
Defacto complainant

4.Jeyarani

... 4th Respondent/Respondent/
Victim

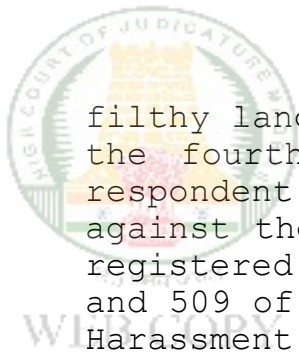
PRAYER : Criminal Original Petition filed under Section 14-A (2) of SC/ST Act, praying to set aside the order dated 19.01.2022 made in Crl.M.P.No.10 of 2022 on the file of the learned I-Additional District and Sessions Judge (PCR), Thanjavur District in connection with Crime No.10 of 2022 on the file of the second respondent police and enlarge the appellant on bail.

For Appellant : Mr.K.M.Karunakaran
For RR 1 & 2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

ORDER

This Criminal Appeal has been preferred to set aside the order passed by the learned I-Additional District and Sessions Judge (PCR), Thanjavur District, in Crl.M.P.No.10 of 2022, dated 19.01.2022, in connection with Crime No.10 of 2022 on the file of the second respondent police and enlarge the appellant on bail.

2.The case of the prosecution is that while the defacto complainant, who is a Panchayat Secretary at Thittakudi Village, was working in the office, the appellant went to the Panchayat office with the defacto complainant and abused her with



filthy language and also attacked her. Further, the appellant abused the fourth respondent's caste name and also attacked the fourth respondent. Hence, the defacto complainant lodged the complaint against the appellant before the second respondent and the same was registered in Crime No.10 of 2022 under Sections 294(b), 352, 353 and 509 of I.P.C and also Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. Hence, the appellant has filed a bail application in Crl.M.P.No.10 of 2022 before the learned I-Additional District and Sessions Judge (PCR), Thanjavur District and the same was dismissed on 19.01.2022. Aggrieved over the same, the appellant has filed the present Appeal.

3. Heard the learned counsel appearing for the appellant and the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.

(*)4. The learned Government Advocate (crl.side), on instructions, would submit that the petitioner is not a habitual offender and no previous case is pending against him and he has not raised any serious objection for grant of the relief sought for in the appeal.

5. Considering the above facts and circumstances of the case, and taking note of the submission made by the learned Government Advocate (crl.side), this Court is inclined to allow the Criminal Appeal by setting aside the order, dated 19.01.2022 made in Crl.M.P.No.10 of 2022 on the file of the learned I Additional District and Sessions Judge (PCR), Thanjavur District

6. Accordingly, the Criminal Appeal is allowed and the order, dated 19.01.2022 made in Crl.M.P.No.10 of 2022 on the file of the learned I Additional District and Sessions Judge (PCR), Thanjavur District, is set aside. The appellant 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 learned I Additional District and Sessions Judge (PCR), Thanjavur District, and on further condition that:

[a] the appellant shall appear before the learned I Additional District and Sessions Judge (PCR), Thanjavur District daily at 10.30 a.m., and 5.30 pm., 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].

Sd/-

Assistant Registrar (CS-II)

(*)deleted and incorporated as per order of this Hon'ble Court order dated 07.03.2022 in CRL A(MD).18 of 2022

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

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

(*) to be substituted to the order already despatched on 04.03.2022

1.The I-Additional District and Sessions Judge (PCR),

Thanjavur District.

2.The Deputy Superintendent of Police,

Pattukottai Sub Division, Thanjavur District.

3.The Inspector of Police,

Pattukottai Taluk Police Station,
Thanjavur District.

4.The Superintendent, Central Jail, Trichy.

5.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.K.M.KARUNAKARAN, Advocate SR.No. 10500

CRL.A. (MD) .No.18 of 2022

16.02.2022

CK(CO)

GC(02.03.2022) 3P 5C

TR(08.03.2022) 3P 6C

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