



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 08.06.2022

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.A(MD).No.327 of 2022

WEB COPY

Sethupathi

.. Appellant/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.175 of 2021)

.. Respondents / Complainants

3.Renuga

.. Respondent / Defacto
Complainant

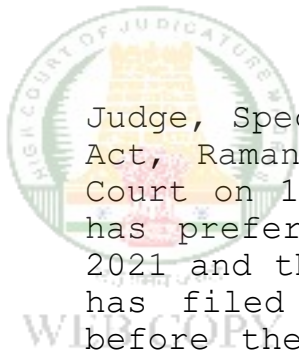
PRAYER: Criminal Appeal filed under Section 14 A (2) of SC/ST Act, 1989, as amended by Act 1 of 2016, to set aside the order in Cr.M.P.No.186 of 2022 and the same was dismissed on 18.04.2022 and enlarge the appellant on bail in connection with the case in S.C.No.74 of 2021 in Crime No.175 of 2021 on the file of the learned Sessions Judge, Special Judge for Trial Cases registered under SC/ST (POA) Act, 1989, Ramanathapuram.

For Appellant : Mr.A.Arputharaj,
For Respondents : Mr.B.Nambi Selvan,
Additional Public Prosecutor,
for R1 & R2.
: No Appearance, for R.3.

JUDGMENT

The Criminal Appeal is filed challenging the order passed in Cr.M.P.No.186 of 2022 in S.C.No.74 of 2021, dated 18.04.2022, on the file of the learned Sessions Judge, Special Judge for Trial Cases registered under SC/ST (POA) Act, 1989, Ramanathapuram, dismissing the bail application.

2.The case of the prosecution is that there was a previous enmity between the appellant and the deceased. On 26.03.2021, at about 12 noon, the deceased was found dead with injuries. A case in Crime No.175 of 2021 was registered against the appellant under Section 302 IPC and under Sections 3 (1)(r), 3(1)(s), 3(2) (va) of SC/ST (POA) Amendment Act. The appellant has filed a bail application in Crl.M.P.No.566 of 2021 before the learned Sessions



Judge, Special Court for Trial of cases registered under SC/ST (POA) Act, Ramanathapuram and the petition was dismissed by the Special Court on 13.10.2021. Challenging the dismissal order, the appellant has preferred the appeal before this Court in Crl.A(MD)No.459 of 2021 and the same was dismissed on 25.11.2021. The appellant/accused has filed the second bail application in Crl.M.P.No.186 of 2022 before the learned Sessions Judge, Special Judge for Trial Cases registered under SC/ST (POA) Act, 1989, Ramanathapuram and the same was also dismissed by the learned Sessions Judge. Hence, the present appeal has been filed by the appellant.

3.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the State would submit that the petitioner is having seven previous cases; that all other accused are in judicial custody and that the trial Court may be directed to complete the trial within the time stipulated by this Court.

4.At this juncture, the learned counsel for the petitioner would also submit that specific time frame may be fixed for the disposal of the case.

5.Considering the seriousness and gravity of the offence alleged and also the fact that the petitioner is having seven previous cases, this Court is not inclined to grant bail to the petitioner at this point of time. However, considering the submissions made by the learned counsel for the petitioner as well as the learned Additional Public Prosecutor, the trial Judge is directed to complete the trial and dispose of the case as expeditiously as possible preferably within a period of three months from the date of receipt of copy of this order.

6.With the above direction, this Criminal Appeal is disposed of.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

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Sub Assistant Registrar(CS)

Das

To

1.The Sessions Judge, Special Judge for Trial Cases
registered under SC/ST (POA) Act, 1989,
Ramanathapuram.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Superintendent of Police,
Paramakudi, Ramanathapuram District.

3.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

5. The Officer Incharge,
District Prison, Ramanathapuram

6.The Section Officer,
Criminal Records,
Madurai Bench of Madras High Court,
Madurai.

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08.06.2022

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