



CRL.A(MD).No. 416 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.07.2022

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.A(MD).No. 416 of 2022

Mani @ Manimaran

: Appellant/A4

Vs.

1.The Assistant Commissioner of Police,
Anna Nagar, Madurai City.

2.State rep.by
The Sub Inspector of Police,
K.Pudur Police Station, Madurai.

: Respondents/Complainants

3.S.Mariyappan

: Respondent/De-facto
Complainant

Prayer : This Criminal Appeal is filed under Section 14(A)(2) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, to set aside the order made in Crl.M.P.No.1282 of 2022, dated 28.06.2022 on the file of the III Additional Sessions Judge (PCR), Madurai and enlarge the appellant on bail in Crime No.176 of 2022 on the file of the respondent.

For Appellant : Mr.Bharathi, S.

For R1 and R2 : Mr.B.Nambi Selvan,
Additional Public Prosecutor



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JUDGMENT

This Criminal Appeal has been filed against the order passed in Crl.M.P.No.1282 of 2022, dated 28.06.2022 on the file of the learned III Additional Sessions Judge (PCR), Madurai, dismissing the petition for bail.

2. It is not in dispute that the FIR came to be registered in Crime No.176 of 2022 for the offence punishable under Sections 147, 302 IPC and Section 3(2)(va) of SC/ST (POA) Act, 1989.

3.It is also not in dispute that the petitioner was arrested on 29.05.2022 and is in judicial custody till now. It is also not in dispute that the petitioner has filed an application seeking bail in Crl.M.P.No.1282 of 2022 before the learned III Additional Sessions Judge (PCR), Madurai and after enquiry, the learned Judge has passed the impugned order, dated 28.06.2022, dismissing the petition.

4.As rightly contended by the learned Additional Public Prosecutor, the learned III Additional Sessions Judge (PCR), Madurai, in the impugned



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order by observing that the investigation is at the initial stage and as there is life threat to the defacto complainant, dismissed the petition.

5. When the matter is taken up for hearing today, the learned Additional Public Prosecutor would submit that the petitioner has been detained under Act-14 of 1982.

6. Considering the facts and circumstances of the case, seriousness and gravity of the offence alleged and also the facts that the petitioner is in judicial custody from 29.05.2022 and that the petitioner has already been detained under Act 14 of 1982, this Court is not inclined to interfere with the dismissal order passed by the learned III Additional Sessions Judge (PCR), Madurai. Accordingly, the Criminal Appeal is dismissed.

11.07.2022

Index : Yes : No
Internet : Yes : No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The Assistant Commissioner of Police,
Anna Nagar, Madurai City.
- 2.The Sub Inspector of Police,
K.Pudur Police Station, Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Section Officer,
Criminal Section (Records),
Madurai Bench of Madras High Court,
Madurai.

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