



Crl.A(MD)No.812 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 02.12.2022

CORAM:

THE HON'BLE MR.JUSTICE G.ILANGOVAN

Crl.A(MD)No.812 of 2022

1. Subramaniyan

2. Senthoorpandi

3. Irumurugan

... Appellants

Vs

1. The Deputy Superintendent Of Police,
Kamuthi Sub Division,
Ramanathapuram District..

2. The Inspector of Police,
Kamuthi Police Station, Kamuthi,
Ramanathapuram District. Crime No.390 of 2022..

3. Karuppasamy

... Respondents

Prayer: This Criminal Appeal is filed under Section 14-A(2) of Scheduled Caste/ Scheduled Tribes Act, 1989 as amended by Act 1 of 2016, to call for the records pertaining to the order, dated 22.11.2022 in Crl.M.P.No.1058 of 2022, on the file of the Special Court for Trial of Cases under SC/ST (PoA) Act, Ramanathapuram and to set aside the same and enlarge the appellants on bail.



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For Appellant : Mr.B.Muneeswaran
For Respondent : Mr.S.Manikandan
Government Advocate (Crl.Side)

JUDGMENT

Challenging the order, dated 22.11.2022, in Crl.M.P.No.1058 of 2022, passed by the Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, Ramanathapuram, this Criminal Appeal has been filed by the appellant.

2.The case of the prosecution is that on 05.11.2022, at about 11.00PM, the defacto complainant was riding his two wheeler in Kanavillakku road and in the place of occurrence, he parked the vehicle for his nature call. At that time, the accused came there and picked up quarrel that the defacto complainant rode his two wheeler in a rash and negligent manner, assaulted and caused damaged to the two wheeler. Hence, the present complaint has been registered.

3.The learned counsel for the appellants submitted that the appellants are in custody from 13.11.2022. The appellants moved a bail petition



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before the concerned Court, which came to be dismissed. Challenging the same, this appeal has been preferred, since the defacto complainant only rode the vehicle, in a rash and negligent manner.

4.The learned counsel for the third respondent submitted that due to life threat caused by the appellants, he is residing elsewhere and now, the appellants also caused life threat to his family members.

5.On the side the first and second respondents, it is submitted that in this case, the investigation is not yet completed.

6.Considering the petty issue between the parties and facts and circumstances of the case and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, this Criminal Appeal is allowed and the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of



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Cases under SC/ST (PoA) Act, Ramanathapuram, and on further condition that the petitioners shall stay away from the occurrence place for a period of 15 days and report before the respondent police daily at 10.30 a.m. until further orders.

02.12.2022

Index :Yes/No

Internet:Yes/No

PNM

Note : Issue order copy on 02.12.2022

To

1. The Sessions Judge,
Special Court for Trial of Cases under SC/ST (PoA) Act,
Ramanathapuram
2. The Superintendent, District Jail, Ramanathapuram
3. The Deputy Superintendent Of Police,
Kamuthi Sub Division,
Ramanathapuram District..
4. The Inspector of Police,
Kamuthi Police Station, Kamuthi,
Ramanathapuram District. Crime No.390 of 2022..
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVA, J.

PNM

JUDGMENT IN

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