



WEB COPY



Crl.A.No.39 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 3/12/2024

C O R A M

THE HONOURABLE Mr.JUSTICE SUNDER MOHAN

Criminal Appeal No.39 of 2024

Sathish

...

Appellant

Vs

1. The Deputy Superintendent of Police
Gummidipoondi
Thiruvallur District.
2. The Inspector of Police
All Women Police Station
Gummidipoondi
Thiruvallur District.
3. Sagunthala

...

Respondents

PRAYER: Appeal filed under Section 14 A (2) of SC & ST Act, to set aside the order dated 19/12/2023 made in Crl.M.P.No.6262 of 2023 passed by the learned Principal District and Sessions Judge, Thiruvallur.

For appellant

...

Mr.A.P.Sathyamurthy

For respondents

...

Dr.C.E.Pratap
Government Advocate
(Criminal Side)
for R.R.1 and 2



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Ms.B.S.Ajeetha
Legal Aid Counsel
for R.3
through V.C

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J U D G M E N T

This Criminal Appeal has been filed to set aside the order dated 19/12/2023 made in Crl.M.P.No.6262 of 2023 passed by the learned Principal District and Sessions Judge, Thiruvallur.

2. The case of the prosecution is that the appellant is the husband of defacto complainant and that due to difference of opinion, appellant had abused defacto complainant by insulting her caste name and also threatened with dire consequences, besides, obtaining money from her by deception.

3. On the complaint given by the defacto complainant, a case was registered under Sections 294 (b), 323, 420 of the Indian Penal Code r/w.3 (1) (r), 3 (1) (s), 3 (1) (zc) of SC & ST Act. The appellant was arrested pursuant to the complaint. He filed a petition for bail before the trial Court which was dismissed by the order dated 19th December, 2023.



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4. Earlier, when the appeal was heard, the learned counsel for the appellant submitted that the case was initiated only due to a matrimonial dispute and the appellant is willing to live with the defacto complainant. Hence, this Court, referred the parties to Mediation and Conciliation Centre, attached to this Court and directed the Mediation and Conciliation Centre to place the matter before Ms.Ajitha, Mediator. This Court hence released the appellant on interim bail on execution of a bond.

5. Today, when the matter is taken up for hearing, appellant and defacto complainant are present before this Court and unanimously submit that they have resolved their disputes and are now living together.

6. In view of the above, this Court is of the view that bail can be granted to the appellant on execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Thiruvallur.

(ii). The appellant shall appear before the second respondent Police as and when required.



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7. In view of the above, this Criminal Appeal is allowed and the impugned order, dated 23/10/2024 made in Crl.M.P.No.2205 of 2024 passed by the learned Sessions Judge, Special Court for Exclusive trial of cases registered under SC/ST (POA) Act, Villupuram is set aside.

8.The Legal Aid Services Authority shall pay the schedule fees to Ms.B.S.Ajeetha, Advocate.

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Index : Yes / No

Neutral Citation: Yes/No

To

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2. The Deputy Superintendent of Police
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Thiruvallur District.
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