



Crl.A.No.448 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.04.2024

CORAM

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

Crl.A.No.448 of 2024

Tamilarasan

.....Appellant

Vs

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Mayiladuthurai Sub-Division, Mayiladuthurai

2.The Inspector of Police,
Manalmedu Police Station, Mayiladuthurai
(Cr.No.10 of 2024)

3.Ravindren

.... Respondents

PRAYER: Criminal Appeal filed under Section 14 A (2) Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Amendment Act) to set aside the order dated 16.02.2023 made in Crl.M.P.No.302 of 2024 on the file of the District and Sessions Judge, Nagapattinam in connection with the crime number 10/2024 on the file of the respondent police by allowing this Criminal Appeal.



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For Appellant : Mr.K.Pragadeesh Kumar
For Respondent : Mrs. G.V.Kasthuri
Addl.Public Prosecutor [R1 & R2]

J U D G M E N T

This Criminal Appeal has been filed seeking to quash the order of dismissal of Bail application in Crl.M.P.No.302/2024 dated 16.02.2024 passed by the District and Sessions Judge, Nagapattinam.

2. When the matter is taken up for hearing, learned counsel for the appellant submitted that the appellant is an innocent and he was falsely implicated in a case registered for the offence u/s 341, 294(b), 324 & 506(ii) of IPC r/w section 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Cr.No.10/2024 on the file of the Respondent Police. He further submitted that the appellant was remanded to judicial custody on 26.01.2024 and he now is confined in Prison. Hence, he prays for grant of bail to the appellant.

3. On the above contention, this Court heard the learned



Additional Public Prosecutor appearing for the respondents 1 & 2.

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4. This Court carefully considered all the materials and the contradictions pointed out by the learned counsel for the appellant and having regard to the fact that there are arguable points involved in the appeal and also considering the period of incarceration, this Court is inclined to grant bail to the appellant.

5. Accordingly, the Criminal Appeal is allowed and the appellant is directed to be enlarged on bail on condition that the appellant shall execute 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 District and Sessions Judge, Nagapattinam and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the appellant shall report before



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the respondent police daily at 10.30 a.m. until further orders;

(c) the appellant shall not tamper with evidence or witness either during investigation or trial;

(d) the appellant shall not abscond either during investigation or trial;

*(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;*

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.04.2024

NHS

Note to Office :

Issue order copy on 26.04.2024.



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To

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1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Mayiladuthurai Sub-Division, Mayiladuthurai
2. The Inspector of Police,
Manalmedu Police Station, Mayiladuthurai
3. The learned District and Sessions Judge,
Nagapattinam.
4. The Public Prosecutor,
High Court, Madras.



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M.DHANDAPANI,J.

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