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Crl.A.No.451 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM

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

Crl.A.No.451 of 2024

Manimaran

...Appellant/Accused (A1)

Vs.

1.State rep. by
The Deputy Superintendent of Police,
Vriddhachalam Police Station,
Cuddalore District.

2.Inspector of Police,
All Women Police Station,
Vriddhachalam Police Station,
Vriddhachalam, Cuddalore District.
Crime No.3 of 2024

...Respondents/Complainants

3.Sivasankari

...2nd Respondent/Defacto-complainant

PRAYER: Appeal filed under Section 14A of the Scheduled Castes and Schedule Tribes Act, 1989 to set aside the order passed by the Learned Sessions Judge, Special Court for trial of SC/ST (Prevention of Atrocities Amendment Act) at Cuddalore -District in Crl.MP.No.512 of 2024 dated 10.04.2024 and enlarge the appellant on bail concerned in Crime No.3 of 2024 on the file of the 2nd respondent.

For Appellant : Mr.T.Meganathan

For Respondent : Mrs. G.V.Kasthuri

Addl.Public Prosecutor, for R1 & R2

R3 appeared on 29.04.2024 and
dispensed with

appearance

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J U D G M E N T

The Criminal Appeal has been filed as against the order of dismissal of Bail application in Crl.MP.No. 512 of 2024 dated 10.04.2024 passed by the learned Sessions Judge, Special Court for trial of SC/ST (Prevention of Atrocities Amendment Act) at Cuddalore -District

2. Learned counsel for the appellant submitted that the appellant is innocent and he was falsely implicated in a case registered for the offence under Sections 417, 376(2)(n), 313, 294(b), 323 of IPC r/w 3(1)(r), 3(1)(s), 3(1)(w)(i) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 in Crime No.3 of 2024 and remanded to judicial custody on 28.03.2024. He further submitted that the appellant is confined in Central Prison, Cuddalore for a period of more than 76 days. Hence, he prays this Court 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.

4. Considering the facts and circumstances of the case and also the period of incarceration, this Court is inclined to grant bail to the appellant.

5. Accordingly, the Criminal Appeal is allowed and the appellant



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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 Sessions Judge, Special Court for trial of SC/ST (Prevention of Atrocities Amendment Act) at Cuddalore -District 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 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



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*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.

11.06.2024

msv

Note: Issue order copy on 12.06.2024.

To

1.The Deputy Superintendent of Police,
Vriddhachalam Police Station,
Cuddalore District.

2.Inspector of Police,
All Women Police Station,
Vriddhachalam Police Station,
Vriddhachalam, Cuddalore District.

3. The Sessions Judge, Special Court for trial
of SC/ST (Prevention of Atrocities Amendment Act)
at Cuddalore -District

4. The Public Prosecutor,
High Court, Madras.

5. The Central Prison, Cuddalore District.

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