



Crl.M.P.No.11133 of 2024  
in Crl.A.No.845 of 2024

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**in**  
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**M. NIRMAL KUMAR, J.**

This petition has been filed to relax the condition imposed that the petitioner shall report before the second respondent police every day at 10.30 a.m., until the completion of investigation in Crl.A.No.845 of 2024 dated 09.07.2024.

2.This Court, on 14.08.2024, had passed the following order:

*“The Criminal Miscellaneous Petition is filed seeking to relax the condition imposed that the petitioner shall report before the second respondent police daily at 10.30 a.m. until the completion of investigation in Crl.A.No.845 of 2024 dated 09.07.2024.*

*2.Today, the learned Government Advocate (Crl. Side) on instructions submitted that the investigation in this case completed, charge sheet filed before the trial Court on 17.07.2024 for offences under Sections 3(1)(r), 3(1)(s) and 3(1)(w)(i) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 498(A), 417, 494, 506(i) r/w 34 of I.P.C.*

*3.The learned counsel for petitioner submitted that he had*



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*been complying with the condition as per the order passed in Crl.A.No.845 of 2024. He further submitted that the condition imposed while granting bail is that the petitioner to appear before the second respondent police daily at 10.30 a.m., till the completion of investigation in Crl.A.No.845 of 2024. Now the investigation completed. Hence, sought for relaxation of the condition.*

*4.The learned counsel for third respondent/de-facto complainant/victim strongly opposed the statement made by the petitioner as well as the learned Government Advocate (Crl. Side) stating that the petitioner/accused on a false promise suppressing his earlier marriage had married the victim girl. Hence, she lodged a complaint, later, a case was registered. Initially, when the complaint was lodged, no action was taken. Though notice was issued for the appearance of petitioner on 08.07.2022, a day earlier, i.e., on 07.07.2022, he left India and after approaching the Court, F.I.R. was registered against the petitioner and when he came back to India he could be arrested. The complaint was lodged against seven accused persons. Except the petitioner, no other persons arrested. In this case investigation conducted in a perfunctory manner, charge sheet filed and the charge sheet is not complete. He further submitted that his apprehension is that the petitioner/appellant would flee India and the trial would get stalled. Further with regard to status of other accused he needs time to get instructions.*

*5.The learned Government Advocate (Crl. Side) submitted that the Passport particulars of the petitioner/appellant is available and appropriate request would be made to the Immigration*



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*Authorities to pass restrictive orders prohibiting the petitioner to leave India till completion of the trial.*

*6.He seeks time to give details with regard to the steps taken against the other accused as well as the letter to the Immigration Authorities by way of a counter.*

*7.Post the matter on 30.08.2024.”*

3.In continuation and conjunction to the earlier order passed by this Court on 14.08.2024, today, it is submitted by the learned Government Advocate (Crl. Side) that Look Out Circular notice initiated, submitted to the Deputy Commissioner of Police to address Immigration Authorities. In this case, investigation completed, charge sheet filed and same taken on file in Spl.S.C.No.91 of 2024. He further submitted that there are only 13 witnesses in this case and within a stipulated period the trial can be completed.

4.The learned counsel for third respondent/victim submitted that he is not aware about the completion of investigation and filing of charge sheet, his further grievance is that though there was 7 accused in this case, except A1, no other accused arrested, called for enquiry and no explanation obtained from them during investigation. The investigation conducted in a perfunctory manner to facilitate and help the accused.



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5.The learned Government Advocate strongly objected, submitted that de-facto complainant/victim informed about each stage of the case, even filing of the charge sheet informed following Section 15A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter referred as SC/ST (POA) Act).

6.Learned counsel for third respondent submitted that the trial can be completed within a stipulated period following Section 14 of the SC/ST (POA) Act.

7.In view of the above, finding that charge sheet filed in this case and the same taken on file in Spl.S.C.No.91 of 2024 and the next hearing date is on 11.09.2024, the condition imposed on the petitioner is relaxed.

8.It is made clear that in the event of the accused adopting dilatory tactics in concluding the trial, they can be detained in custody. The trial Court to follow Section 14 of the SC/ST Act, post the case on day-to-day basis, complete the trial within a period of two months from the date of



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receipt of a copy of this order and also ensure that victim's right as per Section 15A of SC/ST Act is complied with and to safeguard the interest of the victim.

9. With the above directions, this Criminal Miscellaneous Petition is disposed of.

30.08.2024

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