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CrI.A.No. 1261 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2024

CORAM

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

CrI.A.No. 1261 of 2024

Prabhu

... Appellants/Petitioner/ A7

Vs.

1. The Deputy Superintendent of Police,
Sathyamangalam,
Erode District.

2. The Inspector of Police,
Bangalapudur Police Station,
Erode District.
(Cr. No.315 of 2024)

... Respondent/Respondent/Complainant

4. V.V.Nataraj
Village Administrative Officer,
Punjai Thuraiyampalayam Village,
Vaniputhur, Gobi Circle,
Erode – 638 506

... Respondent/Respondent/Defacto Complainant

PRAYER: Criminal Revision Petition filed under Section 14-A (2) of the Scheduled Castes and the Schedule Tribes (Prevention of Atrocities) Act, prayed to set aside the order passed by the learned Principal District and Sessions Judge, Erode in CrI. M.P. No.3089 of 2024 dated 03.10.2024 and enlarge the appellant on bail in Crime No.315 of 2024 on the file of the second respondent Police.



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For Appellant : Mr.J.Ranjith Kumar

For Respondents : Mr.L.Baskaran

Government Advocate (Crl. Side)

ORDER

Challenging the dismissal order dated 03.10.2024 passed in Crl.M.P.No.3089 of 2024 by the learned Principal District and Sessions Judge, Erode and enlarge the appellant on bail in Crime No.315 of 2024 on the file of the second respondent police.

2. The appellant/accused was arrested on 30.08.2024, based on a case registered against him for the offences punishable under Sections 105, 303(2), 326, 125 of BNS and under Section 3 of Explosives substances Act, Section 9(b)(1)(a)(b) of Indian Explosive Act and Section 3(3), Section 4 of TNPPDL Act and 21(1) of Mines and Minerals (Development and Regulations) Act, 1957 and altered into 3(2)(v) of SC/ST (POA) Act 1989.



3. Heard the learned counsel for the appellant, the learned Additional Public Prosecutor for the respondents and perused the materials available on record.

4. Learned counsel for the appellant submitted that the appellant is an innocent person and the entire allegation leveled against the appellant is false and he is in judicial custody. Hence, he prays for grant of bail to the appellant.

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

6. Accordingly, the appeal is allowed and ***the appellant is ordered to be released on bail subject to the following conditions:***

(i) 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 Judicial Magistrate No.I, Gobichettipalayam.

(ii) the appellant shall appear before the second respondent Police daily



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at 10.30 a.m., till the completion of investigation;

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09.10.2024

kkn

Internet: Yes / No

Speaking / Non-speaking order

Neutral Citation : Yes / No

To

1.The Principal District and Sessions Judge,



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Erode.

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2. The Deputy Superintendent of Police,
Sathyamangalam,
Erode District.
3. The Inspector of Police,
Bangalapudur Police Station,
Erode District.
4. The Judicial Magistrate No.1,
Gobichettipalayam.
5. The District Jail, Gobichettipalayam, Erode.
6. The Public Prosecutor
Madras High Court,
Chennai 600 104.



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K.GOVINDARAJAN THILAKAVADI, J.

KKN

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