



WEB COPY



CrI.A.No. 1266 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. 1266 of 2024

1. Loganathan

2. Selvan

3. Vijay

4. Prabu

5. Vivekanandhan

... Appellants/Appellants/
A1, A3, A4, A7 and A6

Vs.

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

2. The Deputy Superintendent of Police,
Erode,
Erode District.

... Respondents

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

... Respondent/Respondent/Complainant

4. Natraj
Village Administrative Officer,
Punjaithuraiyampalayam Village,
Gobi Taluk, Erode District.

... Respondent/Respondent/Complainan



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PRAYER: Criminal Revision Petition filed under Section 14 (A) of SC/ST Act, prayed to set aside the order passed in Crl. M.P.No.3044 of 2024 dated 03.10.2024 passed by the Principal District and Sessions Judge, Erode and release the appellants on bail.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.L.Baskaran

Government Advocate (Crl. Side)

ORDER

Challenging the dismissal order dated 03.10.2024 passed in Crl.M.P.No.3044 of 2024 by the learned Principal District and Sessions Judge, Erode and enlarge the appellants on bail in Crime No.315 of 2024 on the file of the third respondent police.

2. The appellants/accused were arrested 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 appellants, the learned Additional Public Prosecutor for the respondents and perused the materials available on record.

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

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

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

(i) the appellants shall execute a bond for a sum of Rs.10,000/- each (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Special Judge for Trial of SC ST Act cases, Principal District and Sessions Judge, Erode..



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*(ii)the appellants shall appear before the third respondent Police daily
at 10.30 a.m., till the completion of investigation;*

09.10.2024

kkn

Internet: Yes / No

Speaking / Non-speaking order

Neutral Citation : Yes / No



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To

WEB COPY

1. The Principal District and Sessions Judge,
Erode.
2. The Superintendent of Police,
Erode,
Erode District.
3. The Deputy Superintendent of Police,
Erode,
Erode District.
4. The Inspector of Police,
Bangalapudur Police Station,
Erode.
5. The Special Judge for Trial of SC ST ACt cases,
Principal District and Sessions Judge, Erode.
6. The Superintendent,
Sub-Jail, Gobichettipalayam.
7. The Public Prosecutor
Madras High Court,
Chennai 600 104.

K.GOVINDARAJAN THILAKAVADI, J.



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