



WEB COPY



CRL.A(MD).No.284 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 04.04.2024

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL.A(MD).No.284 of 2024

Manikandan

...Appellant/Sole Accused

Vs.

1. The Deputy Superintendent of Police,
Tenkasi,
Tenkasi District.

2. The State Rep.by
The Inspector of Police,
Puliangudi Police Station,
Tenkasi District.

Crime No.125 of 2024

... 1st and 2nd Respondents/Complainants

3. Arasakumar

... 3rd Respondent/Defacto Complainant

Prayer : This Criminal Appeal is filed under Section 14A(2) of SC/ST (POA) Amended Act, 2015, to set aside the order of the II Additional District Judge, Tirunelveli made in Crl.M.P.No.1127 of 2024 dated 02.03.2024 and allow this Appeal by enlarging the Petitioner on bail in Crime No.125 of 2024 on the file of the 2nd Respondent Police.

For Appellant : Mr.N.Balasubramanian

For Respondents : Mr.M.Muthumanikkam,
Government Advocate(Crl.Side)
for R1 & R2



CRL.A(MD).No.284 of 2024

WEB COPY

JUDGMENT

This appeal is filed to set aside the impugned order passed in Cr.M.P.No.1127 of 2024, dated 02.03.2024, by the learned II Additional District Judge, Tirunelveli and enlarge the appellant on bail.

2.The appellant is sole accused, in Crime No.125 of 2024 on the file of the second respondent Police. He is said to have committed alleged offences under Sections 341, 294(b) and 506(ii) of IPC r/w 3(1)(r) and 3(1)(s) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.According to the prosecution, the defacto complainant namely the project Coordinator, Mahathama Ganthi National Rural Employment Scheme preferred a complaint against the petitioner that on 09.03.2020 at about 9.40 a.m when he was taken photograph of the workers through NMS app to register the attendance, the appellant questioned the same and also made criminally intimidated and also abused the female workers of the schemes. Hence, the defacto complainant gave a complaint. On the



CRL.A(MD).No.284 of 2024

basis of the complaint given by the defacto complainant, the second respondent Police registered the case in Crime No.125 of 2024 for the offences under Sections 341, 294(b) and 506(ii) of IPC r/w 3(1)(r) and 3(1)(s) of SC/ST Act, 1989. After registering the case, he was arrested on 16.03.2024. Pending the investigation, the appellant filed bail petition in Cr.M.P.No.1127 of 2024 before the learned II Additional District Judge, Tirunelveli, and the same was dismissed by the impugned order dated 02.03.2024. Challenging the same, the present appeal is filed under Section 14 A(2) of SC/ST (POA) Act, 1989, as amended by Act 1 of 2016.

4.The learned counsel appearing for the appellant submitted that after the dismissal order passed in Cr.M.P.No.1127 of 2024, the appellant was detained under the TN Act 14 of 1982. Further, the invocation of Act 14 is not bar to consider the bail petition and hence, he seeks for bail and setting aside the impugned order.

5.The learned Government Advocate (Crl. Side) on instructions, submitted that apart from invoking of Act 14 against the appellant, he is having 22 previous cases. Hence, he is not entitled to get bail.



CRL.A(MD).No.284 of 2024

6.This Court considered the rival submission made on either side and perused the records and the impugned order.

7.Considering the submission made by the learned counsel appearing for the petitioner and the Government Advocate (Crl. Side) that the appellant was detained under the TN Act 14 of 1982 and he is having 22 previous cases, this Court is not inclined to grant bail to the appellant.

8.Accordingly, this Criminal Appeal is closed at this stage, without going to the merits of the case.

04.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
vsg



CRL.A(MD).No.284 of 2024

WEB COPY

To

1. The Learned II Additional District Judge,
Tirunelveli.
2. The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.
3. The Inspector of Police,
Puliangudi Police Station, Tenkasi District.
4. The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
6. The Section Officer,
Criminal Section(Records),
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL.A(MD).No.284 of 2024

K.K.RAMAKRISHNAN,J.

vsg

CRL.A(MD).No.284 of 2024

04.04.2024