



Crl.A.(MD)No.423 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Sankar Selvam

... Appellant

versus

1. State Rep. By
The Assistant Commissioner of Police,
Palayamkottai Sub Division,
Tirunelveli City,
Tirunelveli.

2. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli City,
Tirunelveli.

3. Suvitha

... Respondents

Appeal filed under Section 14A(2) of SC/ST Act, to call for the records relating to the impugned order passed in Cr.M.P.No.1484 of 2024 dated 29.04.2024 on the file of the II Additional Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tirunelveli (FAC) and set aside the same as illegal and arbitrary and enlarge the appellant/Accused No.1 in Crime No.11 of 2024 on the file of the 2nd respondent on bail by



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allowing the Criminal Appeal.

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For Appellant : Mr.C.Saravana Kumar
For R1 and R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)
For R3 : Mr.P.Suresh

JUDGMENT

The appellant/first accused was arrested and remanded to judicial custody on 23.04.2024 for the offences punishable under Section 498(A), 323, 294(b), 506(i) IPC, which was subsequently altered into Sections 498(A), 323, 294(b), 506(i) IPC and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (PoA) Act, in Crime No.11 of 2024 on the file of the respondent Police. Therefore, the appellant has moved a bail petition in Cr.M.P.No. 1484 of 2024 before the Special Court for Trial of Cases under SC/ST (POA) Act, Tirunelveli and the same was dismissed by order dated 29.04.2024. Challenging the same, the appellant has preferred this Criminal Appeal.

2. This Court, while entertaining this appeal on 22.05.2024, granted interim bail to the appellant and also referred the matter to the Mediation



Centre, by considering the nature of offence. Thereafter, this appeal is listed before this Court for hearing.

3. Today, when this appeal is taken up for hearing, the learned counsel appearing for the appellant as well as the learned counsel appearing for the defacto complainant submit that the issue has been amicably settled between the parties in the Mediation Centre and the appellant has agreed to pay a sum of Rs.15 lakhs as compensation to the 3rd respondent/defacto complainant and a part amount was also paid to the 3rd respondent/defacto complainant. The learned counsel appearing for the appellant further submits that the defacto complainant has also agreed for quashing the complaint, however, a petition for quashing the complaint is yet to be filed for want of a certified copy. He further submits that at the time of quashing the complaint, the appellant is prepared to pay the balance amount.

4. Recording the subsequent development that the issue has been amicably settled between the parties, this Criminal Appeal is allowed and the order dated 29.04.2024 made in Cr.M.P.No.1484 of 2024 on the file of on the file of the II Additional Sessions Judge, Special Court for Trial of



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Cases under SC/ST (POA) Act, Tirunelveli, is hereby set aside. The trial Court shall bound over the bond and sureties, which have already been furnished by the appellant pursuant to the order of this Court dated 22.05.2024 and release the appellant on bail. The appellant shall strictly adhere to the conditions imposed by this Court while granting interim bail on 22.05.2024.

19.02.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The II Additional Sessions Judge,
Special Court for Trial of Cases
under SC/ST (POA) Act,
Tirunelveli.
2. The Assistant Commissioner of Police,
Palayamkottai Sub Division,
Tirunelveli City,
Tirunelveli.
3. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli City,
Tirunelveli.

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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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