

R. Madhusudhan vs State Of Karnataka on 1 August, 2017

Equivalent citations: AIRONLINE 2017 SC 333

Author: Kurian Joseph

Bench: R.Banumathi, Kurian Joseph

NON-

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1298 OF 2017
(Arising out of S.L.P.(Crl.) No.9813/2016)

R.MADHUSUDHAN

...Ap

VS.

STATE OF KARNATAKA & ANR.

...Re

WITH

CRIMINAL APPEAL NO.1299 OF 2017
(Arising out of S.L.P.(Crl.) No.9845/2016)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellants before this Court were aggrieved by the denial of anticipatory bail. They are the accused in Crime No.280/2015 and Crime No.169/2015 before the Court of II Additional City Civil and Sessions Judge at Bangalore, who by orders dated 2nd July, 2015 and 20th July, 2015 granted anticipatory bail to them. However, the High Court has taken the view that in view of the mandate under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Reason: the Trial Court should not have granted the anticipatory bail. However, while admitting these cases, the order has been stayed and the appellants have been continuing under the protection granted by the Trial Court.

3. We are informed that the investigation has been completed and the charge sheet has been filed. It is now for the appellants to appear before the Trial Court and seek regular bail.

4. Learned counsel appearing for the appellants submits that they have been at large on bail for the last two years and they never misused the bail granted to them and they have fully cooperated with the Investigating Officer. All these contentions are available to the appellants to be taken before the Trial Court while it considers the application for bail.

5. The appeals are disposed of with a direction to the appellants to surrender before the Trial Court within a period of one month from today. On the date of surrender, application for bail shall be considered and orders be passed on the same day. We make it clear that we have not considered the matter on merits and it is for the Trial Court to pass orders on the merits.

.....J. [KURIAN JOSEPH]J. [R.BANUMATHI] New Delhi;

August 1, 2017.