

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 2641/2000

(From the judgement and order dated 12/07/2000 in CRLOP 11900/2000
of The HIGH COURT OF MADRAS)

SELVAM & ORS.

Petitioner (s)

VERSUS

STATE OF TAMIL NADU

Respondent (s)

(With Appln(s). for bail)
(With Office Report)

Date : 27/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s) Mr. Gopal Subramaniam, Sr. Adv.
Mr. C. Paramasnan, Adv.
Mr. Rakesh K. Sharma, Adv.

For Respondent (s) Mr. V.R. Reddy, Sr. Adv.
Mr. V.G. Pragasam, Adv.

UPON hearing counsel the Court made the following
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Bail granted and S.L.P. stands disposed of in terms
of the signed order.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)

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Selvam & Ors.

Petitioner (s)

VERSUS

State of Tamil Nadu

Respondent (s)

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The four petitioners before us had moved the High Court for bail along with twenty six other accused persons. But, the High Court had refused their prayer for bail. Again on the second round, they moved for bail, but since there had been no change in circumstances, the High Court refused the prayer for bail and thereafter the petitioners have approached this Court. When the matter was placed before us we had requested Mr. Reddy learned senior counsel appearing for the State of Tamil Nadu to give us a synopsis of evidence against these persons which are in nature of the statement under Section 161 Cr.P.C. of different witnesses who would be examined in course of trial. Pursuant to the said order a synopsis of the evidence has been placed before us. Mr. Reddy states that the charge-sheet has already been filed and by now trial would have half way through, had not the accused persons prevented the proceeding of the trial. The witnesses having been already examined under Section 161 and the charge-sheet having already been filed, we have scrutinised

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the materials against these four applicants before us. It transpires that apart from agitating and participating in the Road Roko Movement, nothing further has been coming through these 161 statements though, according to Mr. Reddy, there has been video clipping and other evidence and those video clipping would be produced in course of trial. In these circumstances, we are inclined to release the petitioners, namely, (1) Selvam, (2) Madhesh Maistry, (3) Selvaraj and (4) Manickam be released on bail to the tune of Rs. 25,000/- each with two sureties of the like amount to the satisfaction of the learned Judicial Magistrate No.1, Dharmapuri, Tamil Nadu.

While the petitioners are on bail, they shall not try to tamper with the prosecution evidence in any manner and shall not indulge themselves in any unlawful activities in which event the bail in their favour would be liable to be cancelled. The accused persons should fully co-operate with the proceedings of the trial and they shall regularly appear before the Trial Judge whenever the trial is posted.

The Special Leave Petition stands disposed of accordingly.

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(G.B. PATTANAIAK)@@
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New Delhi,
November 27, 2000.

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(U.C. BANERJEE)@@
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