

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1994 OF 2024
(Arising out of S.L.P.(Criminal) No.6127 of 2022)

A.DURAIMURUGAN PANDIYAN SATTAI
@ DURAIMURUGAN ... APPELLANT(S)

VS.

STATE REP. BY THE INSPECTOR OF POLICE
& ANR. ... RESPONDENT(S)

O R D E R

Leave granted.

Heard the learned counsel appearing for the appellant and the learned senior counsel appearing for the respondents.

By the impugned order, the benefit of bail granted to the appellant was cancelled. While issuing notice on 25th July, 2022, this Court continued the bail granted to the appellant on 6th August, 2021 by the High Court. Thus, under the interim order of this Court, the appellant continues to be on bail for more than 2½ years.

The learned senior counsel appearing for the respondent-State relies upon additional counter affidavit. He pointed out that the appellant has misused the liberty granted to him. He invited our attention to the First Information Reports dated 6th December, 2022 and 23rd March, 2023. We have perused the allegations made in the First Information Reports.

As far as the first FIR is concerned, it is about participation in a protest on 6th December, 2022 for making a grievance about the demolition of Babri Masjid. The second FIR relates to an allegation that the appellant and others spoke furiously and demanded release of certain persons in custody. We do not think that only by expressing his strong views about the demolition of the masjid and by demanding release of prisoners, it can be said that the appellant has misused the liberty granted to him under the order dated 25th July, 2022.

Even otherwise, we are of the view that the grounds mentioned in the impugned order cannot constitute grounds for cancellation of bail. Strong criticism of the Hon'ble Chief Minister is not a violation of bail order. Therefore, we set aside the impugned order dated 7th June, 2022 and restore the order of the High Court dated 6th August, 2021.

Needless to add that in case of any misuse of the liberty by the appellant, it will be always open for the respondent to apply for cancellation of bail.

The appeal is accordingly allowed.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
April 08, 2024.

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 (Cr1.) No(s). 6127/2022

(Arising out of impugned final judgment and order dated 07-06-2022 in CRLMP(MD) No. 9457/2021 passed by the High Court of Judicature at Madras, Bench at Madurai)

A.DURAIMURUGAN PANDIYAN SATTAI @ DURAIMURUGAN Petitioner(s)

VERSUS

STATE REP. BY THE INSPECTOR OF POLICE & ANR. Respondent(s)

(IA No. 100894/2022 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

Date : 08-04-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s)

Mr. M. Yogesh Kanna, AOR
Mr. Prabu Ramasubramanian, Adv.
Mr. Bharthimohan M, Adv.
Ms. Priya R, Adv.
Ms. Monica Saini, Adv.

For Respondent(s)

Mr. Mukul Rohatgi, Sr. Adv.
Mr. V. Krishnamurthy, Sr. A.A.G.
Mr. Sabarish Subramanian, AOR
Mr. C. Kranthi Kumar, Adv.
Mr. Vishnu Unnikrishnan, Adv.
Mr. Naman Dwivedi, Adv.
Ms. Richa Vishwakarma, Adv.
Mr. Aman Prasad, Adv.
Mr. Chandra Bhushan Tiwari, Adv.
Mr. Danish Saifi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application also stands disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)