



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.A.No.1702 of 2025

Thowfik

...Appellant

Versus

1.State Represented by
The Deputy Superintendent of Police,
Sirkazhi Police Station,
Mayiladuthurai District.

2.State Represented by
The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.

3.Murugapandiyan

...Respondents

This Criminal Appeal is filed under Section 14(A)(1) of SC/ST Act praying to set aside the order in Crl.M.P.No.1176 of 2025 on the file of District and Sessions Court, Mayiladuthurai in Crl.M.P.No.1176 of 2025 dated 09.09.2025 and enlarge the petitioner on bail in connection with Crime No.133 of 2025 on the file of Inspector of Police, Sirkazhi Police Station, Mayiladuthurai District, pending investigation.

For Appellant	:	Mr.N.Sakthivel
For Respondents – 1 & 2 :		Mr.V.Meganathan, Government Advocate (Crl.Side)



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JUDGMENT

This Criminal Appeal has been filed by the appellant/accused seeking to set aside the Order dated 09.09.2025 in CrI.M.P.No.1176 of 2025 passed by the learned District and Sessions Judge, Mayiladuthurai and enlarge him on bail in connection with Crime No.133 of 2025 on the file of 2nd respondent Police, pending investigation.

2. The case of the prosecution is that on 18.03.2025, at 7.00 p.m., when 3rd respondent/*de-facto* complainant and his associate members were sitting on Kondal Madhagadi, appellant/accused and other co-accused came there and asked about one Mr.Vinith, for which, 3rd respondent/*de-facto* complainant replied that he did not know about said Vinith. Under these circumstances, appellant/accused and other co-accused scolded the 3rd respondent/*de-facto* complainant and his associate members in filthy language by mentioning their caste name. That apart, appellant/accused assaulted the 3rd respondent/*de-facto* complainant by using Aruvaal over his right hand and the co-accused assaulted one Mr.Ramar using Aruvaal over



his right hand and threatened him with dire consequences. Therefore, 3rd respondent/*de-facto* complainant has lodged a complaint to 2nd respondent Police regarding the said occurrence. Based on the complaint given by 3rd respondent/*de-facto* complainant, 2nd respondent Police registered a case in Crime No.133 of 2025 against the appellant/accused and two other co-accused.

3. The learned counsel for appellant/accused submitted that 3rd respondent/*de-facto* complainant has lodged a false complaint against the appellant/accused. The appellant/accused did not commit any offences as alleged by the prosecution.

3.1. It is further submitted by the learned counsel for appellant/accused that appellant/accused has been in judicial custody since 19.03.2025 and he is ready to abide any condition to be imposed by this Court. Therefore, the learned counsel prayed that this Criminal Appeal may be allowed and appellant/accused may be enlarged on bail.



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4. The learned Government Advocate (Crl.Side) appearing on behalf of respondents 1 & 2 submitted that 12 previous cases were registered against the appellant/accused and appellant/accused is a History Sheeted Rowdy in H.S.No.263 of 2016. That apart, appellant/accused was detailed under Goondas Act in COC.No.15 of 2025 dated 22.04.2025, TPDA No.4501 dated 23.04.2025. Therefore, the learned Government Advocate (Crl.Side) submitted that he has serious objection for granting bail to the appellant/accused.

5. Heard the learned counsel for appellant/accused and the learned Government Advocate (Crl.Side) for respondents 1 & 2.

6. Despite the service of notice, none appeared on behalf of 3rd respondent/*de-facto* complainant.

7. From a perusal of the materials available on record, it is evident that on the date of occurrence, appellant/accused assaulted the 3rd



respondent/*de-facto* complainant by using Aruvaal. Hence, the aggrieved

3rd respondent/*de-facto* complainant has lodged a complaint to 2nd respondent Police. Based on the complaint given by 3rd respondent/*de-facto* complainant, 2nd respondent Police registered a case against the appellant/accused in Crime No.133 of 2025 and remanded the appellant/accused to judicial custody on 19.03.2025. Therefore, appellant/accused filed a petition in CrI.M.P.No.1176 of 2025 before the learned District and Sessions Judge, Mayiladuthurai seeking bail. However, the learned District and Sessions Judge, Mayiladuthurai vide Order dated 09.09.2025, dismissed the said bail petition. Hence, appellant/accused has preferred the present Criminal Appeal.

8. Considering the above facts and circumstances and also the period of incarceration undergone by appellant/accused from the date of his arrest i.e., 19.03.2025, this Court is inclined to set aside the Order dated 09.09.2025 in CrI.M.P.No.1176 of 2025 and allow this Criminal Appeal by granting bail to appellant/accused.



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9. Accordingly, Order dated 09.09.2025 in CrI.M.P.No.1176 of 2025 passed by the learned District and Sessions Judge, Mayiladuthurai is set aside and this Criminal Appeal is allowed. The appellant/accused is ordered to be released on bail subject to the condition that he shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (out of which, one surety should be blood surety), each for a likesum to the satisfaction of the learned District and Sessions Judge, Mayiladuthurai and on further conditions that:

(a) The sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the learned Magistrate may obtain a copy of their Aadhaar Card or Bank Pass Book and their mobile numbers to ensure their identity;

(b) The appellant/accused shall deposit a sum of Rs.40,000/- (Rupees Forty Thousand only), after deducting the amount which was already deposited by the appellant/accused, if any, to the credit of Crime No.133 of 2025, within a period of four weeks from the date of receipt of a copy of this order, failing which, this order shall stand automatically cancelled.

(c) On such deposit being made, 3rd respondent/*de-facto* complainant and other victim viz., Mr.Ramar shall withdraw Rs.20,000/- (Rupees Twenty Thousand only) each from the



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amount deposited by appellant/accused in Crime No.133 of 2025, on proper identification, in the manner known to law.

(d) The appellant/accused shall stay at Thanjavur and report before the Inspector of Police, Town Police Station, Thanjavur on every Tuesday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.

(e) The appellant/accused shall not abscond either during investigation or trial.

(f) The appellant/accused shall not tamper with evidence or witness either during investigation or trial.

(g) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against appellant/accused, in accordance with law, as if the conditions have been imposed and appellant/accused released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala (2005)AIR SCW 5560.***

(h) If appellant/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

12.11.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order



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To

- 1.The District and Sessions Judge,
Mayiladuthurai.
- 2.The Deputy Superintendent of Police,
Sirkazhi Police Station,
Mayiladuthurai District.
- 3.The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.
- 4.The Superintendent,
Central Prison, Cuddalore.
- 5.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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