



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.A.No.1661 of 2025

Aswathi Devi

...Appellant

Versus

1.The State rep. by
The Deputy Superintendent of Police,
Udumalpet Sub Division,
Tiruppur District.

2.Inspector of Police,
Gudimangalam Police Station,
Tiruppur District.
(In Crime No.274/2025)

3.Mayilsamy

...Respondents

This Criminal Appeal is filed under Section 14A(2) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 praying to call for the records pertaining to the order passed by the learned Special Court for Trial of cases under SC/ST (POA) Act, Tiruppur in C.M.P.No.121 of 2025 dated 14.10.2025 and to set aside the same and to enlarge the appellant on bail in Crime No.274 of 2025 on the file of the 2nd respondent.



For Appellant : Mr. Ilamvaludhi
for Mr. R. Babu

For Respondents – 1 & 2 : Mr. V. Meganathan,
Govt. Advocate (Crl. Side)

For Respondent – 3 : Mr. B. Mohan

JUDGMENT

This Criminal Appeal has been filed by the appellant/accused seeking to set aside the Order dated 14.10.2025 in C.M.P.No.121 of 2025 in Crime No.274 of 2025 passed by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur and to enlarge her on bail in Crime No.274 of 2025 on the file of 2nd respondent Police.

2. The case of the prosecution is that 3rd respondent/*de-facto* complainant had preferred a complaint to the respondent Police alleging that appellant/accused used a filthy language about the caste of 3rd respondent/*de-facto* complainant and slapped the 3rd respondent/*de-facto* complainant in front of his wife and also, threatened the family members of 3rd respondent/*de-facto* complainant for involving the 3rd respondent/*de-*



facto complainant in the political activities in the surrounding region.

Based on the complaint given by 3rd respondent/*de-facto* complainant, respondent Police had registered a case in Crime No.274 of 2025 against the appellant/accused.

3. The learned counsel for appellant/accused submitted that 3rd respondent/*de-facto* complainant was working as a labourer in the house of Mr.Ranganatha Gounder (Accused No.1 in Crime No.274 of 2025) and appellant/accused is the wife of said Ranganatha Gounder. The 3rd respondent/*de-facto* complainant was regularly absent for work without any intimation. When appellant/accused and her husband (Accused No.1 in Crime No.274 of 2025) sought explanation for the absence of 3rd respondent/*de-facto* complainant, 3rd respondent/*de-facto* complainant had lodged a false complaint to respondent Police stating that appellant/accused used a filthy language about the caste of 3rd respondent/*de-facto* complainant and assaulted the 3rd respondent/*de-facto* complainant, due to which, 3rd respondent/*de-facto* complainant had sustained fracture in his right hand.



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3.1. It is further submitted by the learned counsel for appellant/accused that appellant/accused has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. This is a clear case where the beneficial provision of SC & ST Act has been misused for settling village quarrel.

3.2. The learned counsel for appellant/accused submitted that appellant/accused was arrested and remanded to judicial custody on 03.10.2025. The appellant/accused 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.

4. The learned Government Advocate (Crl.Side) appearing on behalf of respondents 1 & 2 submitted that investigation of the case is almost completed. He further submitted that he has strong objection for granting bail to appellant/accused.



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5. The learned counsel appearing on behalf of 3rd respondent/*de-facto* complainant submitted that appellant/accused has been in judicial custody for 40 days.

6. Heard the learned counsel on either side and perused the materials available on record.

7. From a perusal of the records, it is evident that appellant/accused is the wife of Ranganatha Gounder (Accused No.1 in Crime No.274 of 2025) and 3rd respondent/*de-facto* complainant was working as a labourer in the house of Accused No.1. According to the prosecution, 3rd respondent/*de-facto* complainant had lodged a complaint stating that appellant/accused used a filthy language about the caste of 3rd respondent/*de-facto* complainant and assaulted the 3rd respondent/*de-facto* complainant and also, threatened the family members of 3rd respondent/*de-facto* complainant.



8. The contention of appellant/accused is that 3rd respondent/*de-facto* complainant had lodged a false complaint against appellant/accused and based on the complaint of 3rd respondent/*de-facto* complainant, respondent Police arrested the appellant/accused and kept her in judicial custody.

9. The appellant/accused has filed a petition in C.M.P.No.121 of 2025 before the Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur seeking bail. However, the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur vide Order dated 14.10.2025, dismissed the said bail petition. Hence, the aggrieved appellant/accused has preferred the present Criminal Appeal.

10. Considering the above facts and circumstances and also the period of incarceration undergone by appellant/accused from the date of her arrest i.e., 03.10.2025, this Court is inclined to set aside the Order dated 14.10.2025 in C.M.P.No.121 of 2025 in Crime No.274 of 2025 and allow this Criminal Appeal by granting bail to appellant/accused.



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11. Accordingly, Order dated 14.10.2025 in C.M.P.No.121 of 2025 in Crime No.274 of 2025 passed by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur is set aside and this Criminal Appeal is allowed. The appellant/accused is ordered to be released on bail subject to the condition that she shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a likesum to the satisfaction of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur 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.25,000/- (Rupees Twenty Five Thousand only), after deducting the amount which was already deposited by the appellant/accused, if any, to the credit of Crime No.274 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 shall withdraw the aforesaid amount of Rs.25,000/- deposited by appellant/accused in Crime No.274 of 2025, on proper identification, in the manner known to law.

(d) The appellant/accused shall report before the 2nd respondent Police 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.

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

To

- 1.The Special Court for Trial of cases
under SC/ST (POA) Act,
Tiruppur.
- 2.The Deputy Superintendent of Police,
Udumalpet Sub Division,
Tiruppur District.
- 3.The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District.
- 4.The Superintendent,
Sub Jail, Tiruppur.
- 5.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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