



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.A.No.1677 of 2025

Kannan

...Appellant

Versus

1.The Deputy Superintendent of Police,
Vedaranyam,
Nagapattinam District.

2.The Inspector of Police,
AWPS, Vedaranyam,
Nagapattinam District.
Crime No.19 of 2025.

3.Maheswari

...Respondents

This Criminal Appeal is filed under Section 14(A)(2) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 praying to set aside the order dated 15.10.2025 made in Crl.M.P.No.823 of 2025 in Crime No.19 of 2025 passed by the District and Sessions Judge, Nagapattinam and enlarge the petitioner on bail.

For Appellant	:	Mr.N.Palanivel
For Respondents – 1 & 2	:	Mr.V.Meganathan, Government Advocate (Crl.Side)
For Respondent – 3	:	No Appearance



JUDGMENT

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This Criminal Appeal has been filed by the appellant/accused seeking to set aside the Order dated 15.10.2025 in CrI.M.P.No.823 of 2025 in Crime No.19 of 2025 passed by the learned District and Sessions Judge, Nagapattinam and enlarge him on bail.

2. The case of the prosecution is that appellant/accused had kidnapped the daughter of 3rd respondent/*de-facto* complainant and tried to assault her. Immediately, 3rd respondent/*de-facto* complainant and her relatives rescued the daughter of 3rd respondent/*de-facto* complainant. Thereafter, 3rd respondent/*de-facto* complainant has lodged a complaint to 2nd respondent Police in this regard. Based on the complaint given by 3rd respondent/*de-facto* complainant, 2nd respondent Police registered a case in Crime No.19 of 2025 against appellant/accused and remanded the appellant/accused to judicial custody on 24.09.2025.

3. The learned counsel for appellant/accused submitted that 3rd respondent/*de-facto* complainant has lodged a false complaint against



appellant/accused. The appellant/accused did not commit any offence 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 24.09.2025 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.

4. The learned Government Advocate (Crl.Side) appearing on behalf of respondents 1 & 2 submitted that appellant/accused has kidnapped the victim girl (daughter of 3rd respondent/*de-facto* complainant) and tried to assault her. The investigation of the case is almost completed. 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.



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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 appellant/accused kidnapped the victim girl (daughter of 3rd respondent/*de-facto* complainant) and tried to assault her. 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 appellant/accused in Crime No.19 of 2025 and remanded the appellant/accused to judicial custody on 24.09.2025. Therefore, appellant/accused filed a petition in CrI.M.P.No.823 of 2025 before the learned District and Sessions Judge, Nagapattinam seeking bail. However, the learned District and Sessions Judge, Nagapattinam vide Order dated 15.10.2025, dismissed the said bail petition. Hence, appellant/accused has preferred the present Criminal Appeal.



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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., 24.09.2025, this Court is inclined to set aside the Order dated 15.10.2025 in CrI.M.P.No.823 of 2025 in Crime No.19 of 2025 and allow this Criminal Appeal by granting bail to appellant/accused.

9. Accordingly, Order dated 15.10.2025 in CrI.M.P.No.823 of 2025 in Crime No.19 of 2025 passed by the learned District and Sessions Judge, Nagapattinam 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, Nagapattinam 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 report before the 2nd respondent Police on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.

(c) The appellant/accused shall not have any communication with the family of victim girl.

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

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

(f) 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.***

(g) 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,
Nagapattinam.
- 2.The Deputy Superintendent of Police,
Vedaranyam,
Nagapattinam District.
- 3.The Inspector of Police,
AWPS, Vedaranyam,
Nagapattinam District.
- 4.The Superintendent,
District Prison,
Nagapattinam.
- 5.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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