



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

Crl. A. No. 1037 of 2026

1.Latchimi Kandhan @ Lakshmikandhan
S/o. Pakkirisamy

2.Surya
S/o. Pakkirisamy

3.Manimaran
S/o. Ravichandran

4.Vasanthan
S/o. Ravichandran

5.Vijayakumar
S/o. Vengatesan

.. Appellants

Vs

1.The State Rep., by
The Deputy Superintendent of Police,
Mayiladuthurai,
Mayiladuthurai District.

2.The State Rep., by,
The Inspector of Police,
Poraiyar Police Station,
Mayiladuthurai.
(Crime No. 281 of 2026)

3.The Village Administrative Officer,
Sathangudi Village,
Tharagambadi TK,
Mayiladuthurai District.

..Respondents



Criminal Appeal filed under Section 14-A (2) of SC/ST (POA) Act, 1989, praying to call for the records pertaining to the order dated 21.07.2026 made in Crl.M.P.No.954 of 2026 on the file of the learned District and Sessions Judge at Mayiladuthurai and to set aside the same and enlarge the appellants on bail in connection with the Crime No.281 of 2026 on the file of the respondent police.

For Appellants: Mr. U. Kathiravan

For Respondents: Ms. Sharada Vivek,
Government Advocate (Crl.Side) for R1 & R2
Mr. R. Thirumoorthy
for Mr. Marimuthu

J U D G M E N T

This Criminal Appeal has been filed challenging the order dated 21.07.2026 made in Crl.M.P.No.954 of 2026 on the file of the learned District and Sessions Judge, Mayiladuthurai, dismissing the bail application filed by the appellants and seeking to set aside the same and enlarge the appellants on bail in connection with Crime No.281 of 2026 on the file of the respondent police.

2. The appellants / accused in Crime No.281 of 2026 were arrested by the respondent police on 30.06.2026 for offences under Section 194 of the BNSS, subsequently altered to Sections 189(2) and 108 of BNS r/w Sections 3(1)(r), 3(2)(v) of SC/ST Act. They filed a bail application before the Special Court in Crl.M.P.No.954 of 2026, the same was dismissed. Aggrieved by the said dismissal, the present appeal has been filed.



3. The gist of the case is that on 30.06.2026 at about 8.00 a.m., the VAO of Sathangudi Village of Tharangambadi Taluk, lodged a complaint stating that on 30.06.2025 at about 7.00 a.m., he received information that in the shed belonging to Kumarasen, one Divyadarshini and Parthiban of Sathangudi Village were found hanging separately. Finding suspicious of the death, he lodged a complaint. Thereafter, a case registered and investigation proceeded. During the course of investigation, it was found that the boy, Parthiban, belonged to Hindu Adidravidar community, while the girl, Divyadarshini, belonged to MBC, Vanniyar community. Both were have a friendly relationship and were in love with each other, which was objected by the girl's parents and family members. Further, they had used derogatory words calling caste name of the boy's family and threatened them. They had also threatened the boy stating that it would be better for him to go and die rather than live and create such problems for their family. Thereafter, it was found that both of them had committed suicide and hence, the case altered.

4. The learned counsel for the appellants submitted that, in this case, the appellants 1 and 2 are the father and uncle of the deceased, respectively, and the other three persons belong to the same village and are known to them. It has been projected that the deceased committed suicide only at the instigation of the appellants. According to the appellants, their daughter was found missing and a



case in Crime No.280 of 2026 was registered in that regard, which is pending investigation. The appellants have lost their daughter, a young budding star of the family.

4.1. The learned counsel further submitted that the first appellant is a JCB driver and with great difficulty, had availed financial assistance from the bank and private lenders, earning his livelihood through the JCB. His only daughter recently completed her schooling and joined St.Thresa's College. The parents of the deceased girl were nurturing fond hope that the girl would pursue her studies, become the first graduate in the family and bring respect to the family. When their daughter suddenly vanished from the world, they were in a state of shock and are confined in prison in connection with the above case.

4.2. It is further submitted that the deceased boy was also of young in age and that both the deceased had committed suicide due to their adolescent age facing opposition for their love relationship. The appellants cannot be blamed for the rash action and conduct of the young, misguided youth, as parents advising their daughter, who had chosen a course against parents wishes and expectations, is only a normal human conduct.

4.3. The learned counsel further submitted that the appellants are in custody for 51 days, the post-mortem on both victims conducted and the post-mortem report records death was due to suicide by hanging. Now substantial part of the investigation completed. He further submitted that the first appellant is suffering from a leg injury and is a chronic diabetic patient and he has been



advised to undergo immediate medical treatment, otherwise there is a likelihood of his leg being amputated.

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5. The learned Government Advocate for the respondents 1 and 2 submitted that, on the complaint of VAO, a case initially registered under Section 194 BNSS and thereafter, it was altered. The respondent police, on receipt of the complaint, visited the scene of occurrence, brought down the bodies, sent them for post-mortem. The post-mortem doctor confirmed that both teenagers committed suicide by hanging.

5.1. She further submitted that, in this case, after coming to know about the death of the boy, the boy's parents and family members attacked the appellants' house, caused damage to the bikes and other articles. She further submitted that, in respect of the said act committed by the boy's family members, a case was registered in Crime No.282 of 2026 for offences under Sections 189(2), 296(b), 329(4) and 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Women Harassment Act and Section 3(1) of Tamil Nadu (Prevention of Damage and Loss) Act. They were arrested on the same day and this Court had granted bail to them in Crl.O.P.No.20507 of 2026.

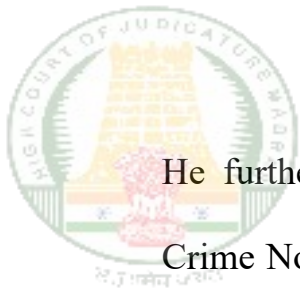
5.2. She further submitted that the situation is still tense and police picketing posted. She further submitted that a major portion of the investigation has been completed.



6. The learned counsel for the victim, Marimuthu, father of Parthiban, filed a typed set of papers and made strong objections, stating that the boy and the girl were in love with each other. On coming to know about the same, the appellants and others abused and threatened the said Parthiban and warned him when he went to the lake to fetch water. He was also abused in public by calling his caste name and was severely threatened. Though a complaint was lodged on 29.06.2026, the police failed to take any action. Fearing for his life, threat and humiliation, he had committed suicide. Only after Parthiban committed suicide, a case registered by giving an ante-time complaint and the police not acted swiftly. If appropriate action taken earlier, the subsequent act of committing suicide by both Parthiban and the minor girl and the consequential commotion and assault could have been avoided.

6.1. Since the boy belonged to a Scheduled Caste community, the police were lethargic and failed to take any action. For avoiding their responsibility, he would take appropriate action by submitting representation and also filing a direction petition to set right the course of investigation and to take action against the lethargic police officials, despite there being a clear procedure and rules contemplated under the SC/ST Act. Further, the SC/ST Act contains a special provision to take action against erring officials.

6.2. He fairly admitted that both the families had lost tow young budding teenagers and that the issue had escalated only due to the acts of the appellants.



He further submitted that the boy's family members, who were arrested in Crime No.282 of 2026, were granted bail by this Court in CrI.O.P.No.20507 of 2026 and were directed to stay at Trichy and report before the Cantonment Police Station, Trichy, twice a day. Similar stringent conditions can be imposed. Further submitted that if the appellants are permitted to enter the village, as there is a likelihood of breach of law and order.

7. Considering the submissions and on perusal of the materials, it is seen that both sides, namely, the appellants as well as the victim's family, have lost a young member of their respective families, due to which there have been abuse, assault and damages. It is seen that earlier, the boy was threatened and abused not to continue his relationship with the first appellant's daughter, who recently completed her 12th Standard and further joined college. It is further seen that the post-mortem is completed, the medical records collected and a substantial portion of the investigation progressed. In view of the same, this Court is inclined to grant bail to the appellants.

8. Accordingly, the appellants are ordered to be released on bail subject to the following conditions;

(a) the appellants shall execute a bond for a sum of Rs.5,000/- each (Rupees Five Thousand only), with two sureties,



each for a like sum to the satisfaction of the learned District and Sessions Judge, Mayiladuthurai;

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(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) Since the first appellant is suffering from a leg injury and requires treatment, he shall appear before the 2nd respondent police every Monday at 10.30 a.m., for two weeks; The other appellants shall appear before the Cantonment Police Station, Trichy, at 10.30 a.m., for a period of 10 days and thereafter, as and when required for interrogation;

(d) the appellants shall not abscond either during investigation or trial;

(e) the appellants shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the appellants in accordance with law as if the conditions have been imposed and the appellants 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 the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.



9. In view of the above, the impugned order dated 21.07.2026 made in Crl.M.P.No.954 of 2026 on the file of the District and Sessions Judge, Mayiladuthurai, is set aside and the Criminal Appeal is, accordingly, allowed.

20-08-2026

Neutral Citation: Yes / No
AT

Note: Issue order copy on 20.08.2026

To

1.The District and Sessions Judge,
Mayiladuthurai

2. The Deputy Superintendent of Police,
Mayiladuthurai,
Mayiladuthurai District.

3.The Inspector of Police,
Poraiyar Police Station,
Mayiladuthurai.

4.The Superintendent, Central Prison, Cuddalore.

5.The Village Administrative Officer,
Sathangudi Village,
Tharagambadi TK,
Mayiladuthurai District.

6.The Public Prosecutor,
High Court, Madras.



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CRL A. No. 1037 of 2



M.NIRMAL KUMAR, J.

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