



Crl.A.No.269 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Appeal No.269 of 2025

Rangarajan

... Appellant

..VS..

1. Jaganathan
2. The State Rep.by
Inspector of Police,
Nallur Police Station,
Nallur, Tiruppur District,
Crime No.89 of 2025.

... Respondents

Criminal Appeal filed under Sections 14A(2) of SC/ST Act, to set aside the order dated 07.02.2025 made in C.M.P.No.19 of 2025 on the file of the Special Court for Trial of Cases under SC/ST (PoA), Tiruppur by allowing this Criminal appeal.

For Appellant : Mr.R.Prabakar

For Respondents : No appearance for R1
Mrs.G.V.Kasthuri
Additional Public Prosecutor for R2



Crl.A.No.269 of 2025

WEB COPY

JUDGMENT

This Criminal Appeal is preferred against the order dated 07.02.2025 made in C.M.P.No.19 of 2025 on the file of the Special Court for Trial of Cases under SC/ST (PoA), Tiruppur.

2. Learned counsel for the appellant/*de-facto* complainant submitted that the first respondent-A2, who is the local rowdy element and also a history sheeter, trespassed into the property of the appellant and damaged fencing and stolen goods worth about Rs.5,00,000/- and threatened the appellant and also abused him by using the caste name. Hence, the appellant lodged a complaint against the first respondent and others in Crime No.89 of 2025 for the offences punishable under Sections 191(2), 329(3) and 303(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3, 3(1)(g) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and they were arrested on 31.01.2025. He further submitted that the first respondent, who is the habitual offender, had filed a petition invoking Section 483 Bharatiya



Crl.A.No.269 of 2025

WEB COPY

Nagarik Suraksha Sanhita, 2023 in Crl.M.P.No.19 of 2025 before the Special Court for Trial of Cases under SC/ST (PoA) Act, Tiruppur seeking bail. The Special Judge failed to consider the threat given by the first respondent-A2, who is a notorious rowdy element, to the appellant/*de-facto* complainant, *vide* order dated 07.02.2025 allowed the petition and granted bail to the first respondent holding that the dispute between the parties is civil in nature. Therefore, the bail granted by the Court below is liable to be set aside.

3. Learned Additional Public Prosecutor appearing for the second respondent-Police, on instructions, submitted that, when the *de-facto* complainant was out of station and taking advantage of his absence, the first respondent-A2, who is a history sheeter, trespassed into the property of the appellant and removed fence and also damaged the property. She further submitted that there are seven previous cases pending against the first respondent-A2. Further, after completion of the investigation, the



Crl.A.No.269 of 2025

WEB COPY

respondent-Police filed a charge-sheet before the Special Court for Trial of Cases under SC/ST (PoA) Act, Tiruppur in Spl.S.C.No.11 of 2025.

4. Heard the learned counsel for the appellant and the learned Additional Public Prosecutor appearing for the second respondent and perused the materials available on record.

5. There is no representation for the first respondent.

6. On a reading of the entire materials, particularly, the F.I.R. and grounds of appeal, and also considering the submissions made by the learned counsel for the appellant and the second respondent-Police, this Court finds that the first respondent-A2 is a history sheeter and there are seven previous cases pending against him and the charges levelled against him in the present case, are serious in nature. If the first respondent-A2 is released on bail, there is every possibility of tampering the witnesses and trial would get protracted. Therefore, the bail granted



Crl.A.No.269 of 2025

WEB COPY

in Crl.M.P.No.19 of 2025 dated 07.02.2025 by the Special Court for Trial of Cases under SC/ST (PoA) Act, Tiruppur, is hereby set aside and the second respondent-Police is directed to execute the warrant against the first respondent-A2. The trial Court is directed to dispose of the case in Spl.S.C.No.11 of 2025, on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this judgment.

7. With the above observations and directions, this Criminal Appeal is disposed of.

24.04.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
ms

To

1. The Special Court for Trial of Cases under SC/ST (PoA),
Tiruppur.
2. The Inspector of Police,
Nallur Police Station,
Nallur, Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

Page No.5/6



WEB COPY



Crl.A.No.269 of 2025

P.VELMURUGAN, J.

ms

Crl.A.No.269 of 2025

24.04.2025