



Crl.A.No.244 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Appeal No.244 of 2025

1. Prasanth

2. Vimal

... Appellants

..VS..

1. The Deputy Superintendent of Police,
Villupuram Range, Villupuram.

2. The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram,
Crime No.37 of 2025.

3. Sarath Kumar

... Respondents

Criminal Appeal filed under Sections 14-A of SC/ST Act, 1989, to set aside the order dated 31.01.2025 passed in Crl.M.P.No.22 of 2025 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act, 1989, Villupuram.



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For Appellants : Ms.M.Janani
For Respondents : Ms.G.V.Kasthuri
Additional Public Prosecutor
for R1 and R2

J U D G M E N T

This Criminal Appeal has been filed seeking to set aside the order order dated 31.01.2025 passed in Crl.M.P.No.22 of 2025 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act, 1989, Villupuram.

2. The case of the prosecution as per the version of the *de-facto* complainant is that he had good relationship with one Balaji and Ayyanar and they had quarrel with the accused persons and having previous enmity with each other, and due to the said quarrel, on 16.01.2025 at 5.30 p.m., when the *de-facto* complainant was standing in front of Udhya Water Wash shop at KK Road along with his two wheeler, the accused persons came there and abused and scolded him in filthy language by using their caste name and also assaulted him with stones and also threatened him. When the *de-facto* complainant was trying to escape



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from there, the other accused persons chased him and he had taken shelter in the said Ayyannar's house and his bike was broken by the accused persons. Thereafter, the *de-facto* complainant and his friends, i.e. said Balaji and Ayyannar were sitting in the Mani Nagar bridge, the accused persons came there and threatened them with knife and chased them in different directions. The said Ayyannar had gone into his house, they have thrown stones on his house and broken the glass. Further, on seeing the father of the *de-facto* complainant, the accused persons abused him by using the caste name and threatened him with knife and also assaulted him. Hence, the case in Crime No.37 of 2025 was registered against the appellants herein/accused persons for the offences under Sections 3(1)(s), 3(2)(v), 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 and Sections 109, 115(2), 118(1), 191(2), 191(3), 296(b) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and they were arrested and remanded to judicial custody on 19.01.2025. Therefore, the appellants have filed a



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petition under Section 483 of BNSS seeking for grant of bail. The learned Special Judge, after hearing the objections on the respondent's side and also considering the gravity of offences, dismissed the said petition. The said order is challenged in the present appeal.

3. Learned counsel for the appellants submitted that the appellants are innocent persons and a false case had been foisted against them. The appellants will neither abscond, nor tamper with any witnesses, if bail is granted. Hence, he prays to grant bail to the appellants and that they would abide by stringent conditions, if any, that may be imposed on them.

4. Learned Additional Public Prosecutor appearing for the respondent-Police submitted that the offences committed by the appellants are serious in nature. The accused persons are habitual offenders and they have also got previous cases and they are detained under Tamil Nadu Act 14 of 1982. She further submitted that investigation is not yet completed and if the appellants are enlarged on bail, there is possibility of tampering the witnesses and may hamper the



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investigation, and hence, she strongly objects to grant bail to the appellants.

5. Heard the learned counsel for the appellants and the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and also perused the materials available on record.

6. On a perusal of the records, it is seen that the Court below, after considering the entire materials, had rightly dismissed the petition seeking bail. Therefore, this Court does not find any change of circumstances and there is also no reason to interfere with the order passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act, 1989, Villupuram. Hence, this Criminal Appeal is dismissed.

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Index : Yes/No
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To

1. The Sessions Judge,
Special Court for Exclusive Trial of Cases
under SC/ST (Prevention of Atrocities) Act,
Villupuram.
2. The Officer in-charge,
District Jail, Villupuram.
3. The Public Prosecutor,
High Court, Madras.
4. The Deputy Superintendent of Police,
Villupuram Range,
Villupuram.
5. The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram,



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P.VELMURUGAN, J.

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