



Crl.A.No.358 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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Tamil @ Tamilarasan

... Appellant

Vs.

1.State Rep. by
Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Mayiladuthurai
2.Inspector of Police,
Poraiyar Police Station,
Mayiladuthurai District
(crime No.346 of 2016)
3.Sathish Kumar

... Respondents

PRAYER: Criminal Appeal filed under Section 14A(2) of the SC and ST Act, 1989, praying to set aside the order passed by the learned District and Sessions Judge, Mayiladuthurai in Crl.MP.No.265 of 2025 in SSC.No.232 of 2024 dated 11.03.2025, and enlarge the appellant/accused on bail in connection with crime No.346 of 2016, on the file of the Inspector of Police, Poraiyar Police Station, Mayiladuthurai District.



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For Appellant : Mr.C.T.Saravanan

For Respondents

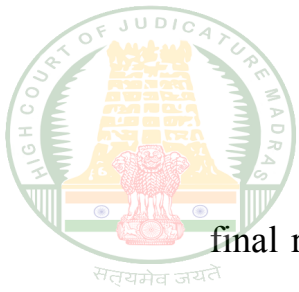
For R1 & R2 : Mr.S.Raja Kumar,
Additional Public Prosecutor

For R3 : No appearance

JUDGMENT

This Criminal Appeal has been filed praying to set aside the order passed by the learned District and Sessions Judge, Mayiladuthurai in Crl.MP.No.265 of 2025 in SSC.No.232 of 2024 dated 11.03.2025, and to enlarge the appellant/accused on bail in connection with crime No.346 of 2016, on the file of the Inspector of Police, Poraiyar Police Station, Mayiladuthurai District.

2. The case of the prosecution is that on the occurrence day, the appellant along with other accused waylaid the two wheeler and scolded the victim in filthy languages saying his caste's name. They also attacked him with wooden log. Hence, the second respondent registered complaint against them under Sections 147, 148, 294(b), 323, 324 of IPC and r/w Section 3(1)(r), 3(1)(s), 3(2)(va) of SC and ST(PoA) Amendment Act, 2015. On completion of investigation, the second respondent filed



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final report and the same was taken cognizance in SSC.No.232 of 2024

by the Special Judge/District and Sessions Judge, Mayiladuthurai.

3. Heard, the learned counsel for the appellant and the learned Additional Public Prosecutor appearing for respondents 1 & 2.

4. It is seen that the appellant, who is arrayed as A6, is incarcerating imprisonment from the date of his arrest i.e. 21.01.2025. Considering the same, this Court is inclined to grant bail to the appellant. Accordingly, this criminal appeal is allowed and the order passed by the learned District and Sessions Judge, Mayiladuthurai in Crl.MP.No.265 of 2025 in SSC.No.232 of 2024 dated 11.03.2025 is hereby set aside. The appellant is ordered to be released on bail on his execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned District and Sessions Judge, Mayiladuthurai and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the appellant shall report before the trial court daily at 10.30 a.m., until further orders.

[c] the appellant shall not abscond either during investigation or



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trial.
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[d] the appellant shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant released on bail by the Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
lok



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To

1. The learned District and Sessions Judge, Mayiladuthurai
2. Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Mayiladuthurai
3. Inspector of Police,
Poraiyar Police Station,
Mayiladuthurai District
4. District Jail,
Nagapattinam
5. The Public Prosecutor,
Madras High Court.



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G.K.ILANTHIRAIYAN, J.
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