



Crl.A.No.432 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM

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

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V.Kanagaraj

... Appellant

Vs

1. The State represented by
The Deputy Superintendent of Police,
Perur Sub-Division,
Kinathukadav,
Coimbatore District.
Crime No.343 of 2024.

2. Mariammal

...Respondents

PRAYER : Criminal Appeal has been filed under Section 14-A of SC/ST 1989 (Amendment Act) 1 of 2016, to call for the records and set aside the order dated 06.02.2025 made in Crl.M.P.No.15 of 2025 in Crime No.343 of 2024 on the file of Learned Special Court for Trial of Cases under SC/ST(POA) Act, Coimbatore.

For Appellant	: Mr.A.Saranraj
For R1	: Mr.S.Raja Kumar Additional Public Prosecutor
For R2	: Notice served No appearance



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JUDGMENT

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This Criminal Appeal has been filed as against the order passed by the Special Court for Trial of Cases under SC/ST(POA) Act, Coimbatore in Crl.M.P.No.15 of 2025 dated 06.02.2025, thereby dismissing the petition for bail.

2. Heard the learned counsel appearing for the appellant and the learned Additional Public Prosecutor for the first respondent and perused the materials placed before this Court. Though notice served on the second respondent and the name has been printed in the cause list, today, no one appeared on behalf of the second respondent in person or through pleader.

3. The appellant is arrayed as accused in Crime No.343 of 2024 on the file of the first respondent registered for the offences punishable under Sections 296(b), 351(2) of BNS, 2023, Sections 3(1)(r) and 3(1)(s) of the Scheduled Case/Scheduled Tribes (Prevention of Atrocities) Act, alleging that the accused, after getting bail in an another case registered in Crime No.12 of 2024 under Sections 5(i)(6) of POCSO Act, again he humiliated the defacto complainant and abused her by mentioning her caste name and insulted her. Hence, the complaint.



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4. After registration of FIR as against the appellant, the appellant was arrested and remanded to judicial custody. Thereafter, the petitioner filed a bail application before the Special Court for Trial of Cases under SC/ST(POA) Act, Coimbatore in Crl.M.P.No.15 of 2025 and the same was dismissed. Hence, the appellant filed the present appeal seeking bail.

5. Considering the above facts and circumstances and also the period of incarceration undergone by the appellant from the date of his arrest, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.15 of 2025 dated 06.02.2025 on the file of the Special Court for Trial of Cases under SC/ST(POA) Act, Coimbatore, is hereby set aside. This Criminal Appeal stands allowed.

6. 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) each with **two blood related sureties**, each for a like sum to the satisfaction of the Special Court for Trial of Cases under SC/ST(POA) Act, Coimbatore and on further conditions that:



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[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 respondent police daily at 10.30 a.m and 05.00 p.m for a period of 30 days and thereafter, as and when required for interrogation.

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

[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 learned Magistrate/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 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]**.

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

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Speaking order/Non-speaking order

Index :Yes/No

Internet :Yes/No

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To



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1. The Special Court for Trial of Cases under SC/ST(POA) Act,
Coimbatore.
2. The Superintendent of Prison,
Central Prison, Coimbatore.
3. The Deputy Superintendent of Police,
Perur Sub-Division,
Kinathukadav,
Coimbatore District.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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