



Crl.A.No.383 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.06.2025

CORAM

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

Crl.A.No.383 of 2025

Syed Ahamed @ Ahamed Syedhu

...Appellant

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Nagapattinam.

2.The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam.
(Crime No.128 of 2025)

3.Poonkodi

... Respondents

Prayer: Criminal Appeal filed under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Amendment) Act, praying to set aside the order dated 01.04.2025 made in Crl.M.P.No.330 of 2025 on the file of the District and Sessions Judge, Nagapattinam in connection with the Crime Number 128 of 2025 on the file of the respondent police by allowing this Criminal appeal.

For Appellant : Mr.Karthikeyan
for K.Pragadeesh Kumar

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

**JUDGMENT**

WEB COPY This Criminal Appeal has been filed as against the order made in CrI.M.P.No.330 of 2025 dated 01.04.2025 on the file of the District and Sessions Judge, Nagapattinam, thereby dismissing the petition for bail.

2. Heard the learned counsel appearing for the appellant and the learned Additional Public Prosecutor for the respondents 1 and 2 and perused the materials placed before this Court. Though notice served on the third respondent, today, no one is appeared on behalf of the third respondent either by person or through pleader.

3. The appellants is arrayed as sole accused in Crime No.128 of 2025 on the file of the second respondent registered for the offences punishable under Sections 303(2), 325 & 351(3) of BNS, 2023, read with Sections 3(1)(r), 3(1)(s) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, alleging that the accused had committed theft of one goat from the defacto complainant, the defacto complainant, on seeing the head of the goat inside the mutton stall of the appellant, questioned him. The appellant abused the defacto complainant with filthy



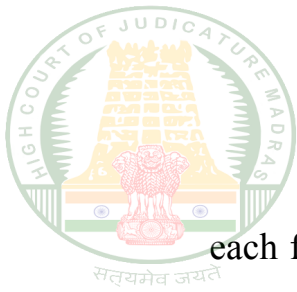
Crl.A.No.383 of 2025

language using her caste name and threatened her with goat-cutting knife. Hence, the complaint.

4. After registration of FIR, the appellant was arrested and remanded to judicial custody on 24.03.2025. Thereafter, the appellant filed a bail application before the District and Sessions Judge, Nagapattinam in Crl.M.P.No.330 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 i.e., 24.03.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order dated 01.04.2025 made in Crl.M.P.No.330 of 2025 on the file of the District and Sessions Judge, Nagapattinam, is hereby set aside.

6. Accordingly, this **Criminal Appeal stands allowed** and 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 sureties,



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

Nagapattinam 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 second respondent police daily at 10.30 a.m., for the period of two weeks 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]**.



Crl.A.No.383 of 2025

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

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12.06.2025

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

1.The District and Sessions Judge, Nagapattinam

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Nagapattinam.

3.The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam

4.The Public Prosecutor,
High Court, Madras.

5.The Section Officer,
Criminal Section,
High Court, Madras.



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6

G.K.ILANTHIRAIYAN, J.

Lpp

Crl.A.No.383 of 2025

12.06.2025

6/6