



Crl.A.No.364 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM

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

Crl.A.No.364 of 2025

Saravanan

... Appellant

Vs

1. The Deputy Superintendent of Police,
Perambalur Division,
Perambalur District.

2. The State represented by
The Inspector of Police,
Mangalamedu All Women Police Station,
Perambalur District.
(Crime No.2 of 2025)

3. Anitha

...Respondents

PRAYER : Criminal Appeal has been filed under Section 14-A(2) of SC/St 1989 (Amendment Act) 1 of 2016, to set aside the order made in Crl.M.P.No.40 of 2025 dated 17.03.2025 on the file of the Special Court for Exclusive Trial of Offences under SC/ST (POA) Act, Perambalur and enlarge the appellant on bail by allowing this appeal.

For Appellant	: Mr.V.Manikandan
For R1 and R2	: Mr.S.Raja Kumar Additional Public Prosecutor
For R3	: Notice served No appearance



Crl.A.No.364 of 2025

JUDGMENT

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This Criminal Appeal has been filed as against the order made in Crl.M.P.No.40 of 2025 dated 17.03.2025 on the file of the Special Court for Exclusive Trial of Offences under SC/ST (POA) Act, Perambalur, thereby dismissing the petition for bail.

2. Heard the learned counsel appearing for the petitioner 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 and name has been printed in the cause list, today, no one is appeared on behalf of the third respondent either by person or through pleader.

3. The appellants is arrayed as first accused in Crime No.2 of 2025 on the file of the second respondent registered for the offences punishable under Sections 296(b), 85, 351(2) and 88 of BNS, 2023, Sections 3(1)(e), 3(1)(r) of the Scheduled Case/Scheduled Tribes (Prevention of Atrocities) Act and Section 66(e) and 67 of the Information Technology Act, alleging that the first accused had love affair with the defacto complainant. They also got married. While being so, the accused 1 to 3 demanded dowry and abused her with caste name and threatened her with dire consequences. It is further alleged that A1 took



Crl.A.No.364 of 2025

photos of the defacto complainant and the same was sent to his friends through

his mobile phone and informed that she had illicit relationship with someone.

Thereafter, the defacto complainant was driven out from the matrimonial home.

Hence, the complaint.

4. After registration of FIR as against the appellant, the appellant was arrested and remanded to judicial custody on 26.02.2025. Thereafter, A1 filed a bail application before the Special Court for Exclusive Trail of Offences under SC/ST (POA) Act, Perambalur in Crl.M.P.No.40 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., 26.02.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.40 of 2025 dated 17.03.2025 on the file of the Special Court for Exclusive Trail of Offences under SC/ST (POA) Act, Perambalur, 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 sureties, each for a like sum to the satisfaction of the Special Court for Exclusive Trail of Offences under SC/ST (POA) Act, Perambalur and on further conditions that:



Crl.A.No.364 of 2025

[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., 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]**.

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

05.06.2025

Speaking order/Non-speaking order

Index :Yes/No

Internet :Yes/No

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To



Crl.A.No.364 of 2025

1. The Special Court for Exclusive Trail of Offences
under SC/ST (POA) Act,
Perambalur.
2. The Superintendent of Prison,
Central Prison, Trichy.
3. The Deputy Superintendent of Police,
Perambalur Division,
Perambalur District.
4. The Inspector of Police,
Mangalamedu All Women Police Station,
Perambalur District.
5. The Public Prosecutor,
High Court, Madras.



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Crl.A.No.364 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.A.No.364 of 2025

05.06.2025