



Crl.A.No.504 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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S.Naveen

... Appellant

Vs.

1. The Deputy Superintendent of Police,
Ulundurpet Sub Division,
Kallakurichi District.

2. The State Rep. by its
The Inspector of Police,
AWPS Ulundurpet,
Kallakurichi District,
Crime No.19 of 2025

3. Vaitheeswari

... Respondents

PRAYER: Criminal Appeal filed under Section 14A(2) of the Schedule Caste/Schedule Tribes (Prevention of Atrocities) Act, to set aside the order dated 16.04.2025 in Crl.M.P.No.947 of 2025 on the file of the learned Principal District and Sessions Judge, Kallakurichi and consequently, enlarge the appellant on bail in Crime No.19 of 2025 pending investigation on the file of the first respondent police.



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For Appellant : Mr.P.Jayachandran
For Respondents
For R1 & R2 : Mr.S.Rajakumar
Additional Public Prosecutor
For R3 : Mr.R.Raji

JUDGMENT

This Criminal Appeal has been filed as against the order dated 16.04.2025 passed by the learned Principal District and Sessions Judge, Kallakurichi, in Crl.M.P.No.947 of 2025 in Crime No.19 of 2025, thereby dismissing the petition for bail.

2. The case of the prosecution is that the appellant fell in love with the victim girl viz., third respondent herein and on the pretext of marriage, he had committed penetrative sexual assault on the third respondent and thereafter he refused to marry her for the reason that his family members objecting their marriage since the victim girl belongs to Schedule Caste Community. Now the third respondent is three months pregnant and the appellant is making arrangements to marry another woman. When the same was questioned by the third respondent, the appellant and his family members assaulted and abused her by using her caste name and also threatened her with dire consequences.



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3. On the complaint lodged by the third respondent, the second respondent registered the FIR in Crime No.19 of 2025, for the offences punishable under Sections 191(2) 296(b), 69, 351(3) of BNS r/w Sections 3(1)(r), 3(1)(s) & 3(2)(va) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Amendment Act and the appellant was arrested and remanded to judicial custody on 05.04.2025. Therefore, the appellant filed an application for bail and the same was dismissed by an order dated 16.04.2025. Aggrieved by the same, the appellant filed the present appeal for bail.

4. The learned counsel appearing for the appellant would submit that false case has been foisted as against the appellant. He further submitted that though the appellant fell in love with the victim girl, he did not have any physical relationship with the victim girl. Hence, he prayed to grant bail to the appellant.

5. The learned Additional Public Prosecutor appearing for the respondents police submitted that the investigation is almost completed and yet to file final report.



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WEB COPY 6. The learned counsel appearing for the third respondent submitted the appellant had committed penetrative sexual assault on the victim girl on the pretext of marriage and thereafter, he left her in lurch and cheated her. Now the appellant is saying the reason that his parents are objecting their marriage. She further submitted that suppressing the present appeal, the appellant filed petition before the trail Court in Crl.M.P.No.1499 of 2025 and the same was also dismissed on 11.06.2025. Hence, she vehemently opposed to grant bail to the appellant.

7. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

8. On perusal of the records, it is revealed that at the time of fell in love with the victim girl, the appellant had full knowledge that the victim belongs to Schedule Caste community. Even then, the appellant continued his love affair and had physical relationship. Now the appellant cannot say the reason that his parents are not allowed to marry the victim girl, who belongs to other community.



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9. Further, while pending this appeal, the appellant filed

petition before the trial Court and the same was also dismissed.

Therefore, the appellant had committed very serious and heinous offence as against the victim girl and the trial Court rightly dismissed the petition filed by the appellant for bail and this Court finds no infirmity or illegality in the order passed by the trial Court and the present appeal fails.

10. Accordingly, the Criminal Appeal stands dismissed.

12.06.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order
rts

To

1. The Principal District and Sessions Judge,
Kallakurichi

2. The Deputy Superintendent of Police,
Ulundurpet Sub Division,
Kallakurichi District.

3. The Inspector of Police,
AWPS Ulundurpet,
Kallakurichi District,

4. The Public Prosecutor,
Madras High Court,
Chennai.

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