



Crl.A.No.877 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

CORAM :

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

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Aravinth

... Appellant

Vs

1.State rep. by its,
The Deputy Superintendent of Police,
Namakkal, Namakkal District.

2.State rep. by its,
The Inspector of Police,
Namakkal Police Station,
Namakkal District.
(Crime No.248 of 2025)

3.Poomathi

... Respondents

Prayer: Criminal Appeal filed under Section 14(A) of the SC/ST Act, pleaded to set aside the order dated 08.07.2025 made in Crl.M.P.No.132 of 2025 passed by the learned Sessions Judge, Special Court for Trial of Cases registered under SC & ST (PoA) Act, Namakkal and to allow the above Criminal Appeal by enlarging the appellant on bail.

For Appellant : Mr.A.Sathishkumar

For Respondents : Mr.S.Raja Kumar
Additional Public Prosecutor [R1 & R2]
Mrs.Poomathi (in person) [R3]



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JUDGMENT

WEB COPY This Criminal Appeal has been preferred as against the order dated 08.07.2025 passed in Crl.M.P.No.132 of 2025 on the file of learned Sessions Judge, Special Court for Trial of Cases registered under SC & ST (PoA) Act, Namakkal, thereby dismissing the petition for bail.

2. Heard both sides and perused the materials available on record.

3. The appellant is the accused in Crime No.248 of 2025 on the file of the 2nd respondent, registered for the offences punishable u/s 296(b), 103(1), 115(2), 118(1) of BNS, 2023 and Section 3(2)(v) of Schedules Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The 3rd respondent-defacto complainant, who is the wife of the deceased Manikandan, lodged a complaint alleging that, on 12.05.2025 at about 1.00 p.m., when the 3rd respondent and her two sons were sleeping at their house, two persons knocked the doors of the 3rd respondent and informed that two male and two female are attacking the deceased and while attacking the deceased, A2 abused the deceased by using his caste name. Thereafter, the 3rd respondent shouted and A1 to



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A4 left the scene of occurrence. Immediately, the deceased was taken to Government Hospital, Namakkal, there it was informed that the deceased was already died. There are totally six accused in this case and the appellant herein is arrayed as A6. Though A1 to A4 committed the alleged offence, they are friends of A5 and A6. Immediately, after the occurrence, they went to Kolli Hills, where A5 and A6 have given shelter to the other accused persons viz., A1 to A4.

4. After registration of FIR as against the appellant and other accused persons, they were arrested and remanded to judicial custody on 13.05.2025. Thereafter, the appellant filed a bail application before the Special Court for Trial of Cases registered under SC/ST (PoA) Act, Namakkal in C.M.P.No.132 of 2025 and the same was dismissed vide order dated 08.07.2025. Hence, the appellant has 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., 13.05.2025, this Court is inclined to grant bail to the appellant.



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Accordingly, the order made in C.M.P.No.132 of 2025 dated 08.07.2025 on the file of the Special Court for Trial of Cases registered under SC/ST (PoA) Act, Namakkal, is hereby set aside.

6. Accordingly, 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 blood related sureties**, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of Cases registered under SC & ST (PoA) Act, Namakkal 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 Hosur Police Station daily morning and evening at 10.30 a.m. and 5.30 p.m. for a period of 30 days and thereafter, report before the 2nd respondent police daily at 10.30a.m. for the period of 30 days and thereafter, as and when required for interrogation;

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

7. In the result, this Criminal Appeal stands allowed.

25.07.2025

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



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To
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- 1.The Sessions Judge,
Special Court for Trial of Cases registered under SC/ST (PoA) Act,
Namakkal.
- 2.The Superintendent,
Central Prison,
Salem.
- 3.The Deputy Superintendent of Police,
Namakkal,
Namakkal District.
- 4.The Inspector of Police,
Namakkal Police Station,
Namakkal District.
- 5.The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

sp

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