



Crl.A.No.1008 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

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

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1.B.Sebastian

2.B.Periyanyagam

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Appellants

Vs

1.The State Rep. By

The Assistant Commissioner of Police,
Ponneri Range (Avadi Police Commissionerate),
Ponneri (Post),
Thiruvallur District – 601 204.

2.Inspector of Police,

E2 – Thirupalaivanam Police Station,
Thiruvallur District.

3.P.Kabilesh

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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 passed by the Principal District and Sessions Judge, Thiruvallur, Thiruvallur District in Crl.M.P.No.2543 of 2025 dated 07.07.2025 and enlarge the appellants on bail.

For Appellants : Mr.S.Magimai Raj

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



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JUDGMENT

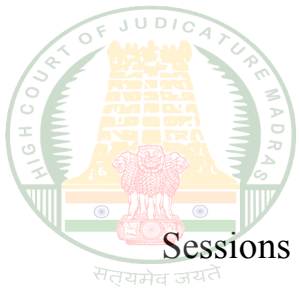
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This Criminal Appeal has been filed as against the order made in Crl.M.P.No.2543 of 2025 dated 07.07.2025 on the file of the Principal District and Sessions Judge, Thiruvallur, thereby dismissing the petition for bail.

2. Heard the learned counsel appearing for the appellants and the learned Additional Public Prosecutor for the respondents 1 and 2 and perused the materials placed before this Court.

3. The appellants are arrayed as A1 & A2 in Crime No.79 of 2023 on the file of the second respondent, registered for the offences punishable under Sections 341, 294(b), 324 of IPC and 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Act 1989. The third respondent lodged a complaint alleging that, due to previous enmity, the appellants, along with their younger brother, assaulted the defacto complainant and uttered caste name in a derogatory manner. The appellants themselves surrendered before the Trial Court.

4. After registration of FIR as against the appellants, the appellants were arrested and remanded to judicial custody on 24.06.2025. Thereafter, they filed a bail application before the Principal District and



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Sessions Judge, Thiruvallur in Crl.M.P.No.2543 of 2025 and the same was dismissed. Hence, the appellants filed the present appeal seeking bail.

5. Considering the above facts and circumstances and also the period of incarceration undergone by the appellants from the date of their arrest i.e., 24.06.2025, this Court is inclined to grant bail to the appellants. Accordingly, the order made in Crl.M.P.No.2543 of 2025 dated 07.07.2025 on the file of the Principal District and Sessions Judge, Thiruvallur, is hereby set aside. This Criminal Appeal stands allowed.

6. The appellants are ordered to be released on bail on their execution of separate 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 Principal District and Sessions Judge, Thiruvallur 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 appellants shall report before the second respondent police daily at 10.30 a.m., for the period of two weeks and thereafter as and when



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required for interrogation.

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

[d] the appellants 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 appellants in accordance with law as if the conditions have been imposed and the appellants 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

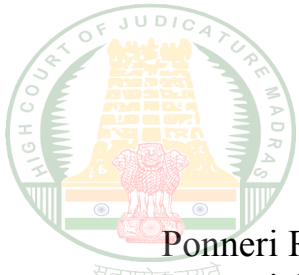
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To

1.The Principal District and Sessions Judge,
Thiruvallur District.

2. The Superintendent of Prison,
Central Prison, Puzhal

3. The Assistant Commissioner of Police,



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Ponneri Range (Avadi Police Commissionerate),
Ponneri (Post),
Thiruvallur District – 601 204.

4.The Inspector of Police,
E2 – Thirupalaivanam Police Station,
Thiruvallur District.

5. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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