



Crl.A.Nos.612, 873, 874, 921 & 1065 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

CORAM :

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

Crl.A.Nos.612, 873, 874, 921 & 1065 of 2025

Crl.A.No.612 of 2025

P.Jeevagan

... Appellant

Vs

1.The State Represented by
The Deputy Superintendent of Police,
Bhavani Sub-Division,
Chithode Police Station.
(Crime No.137 of 2025)

2.S.Saranya

... Respondents

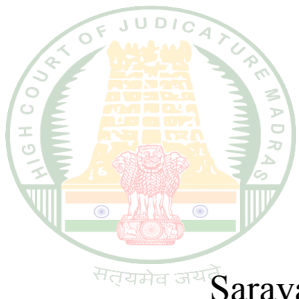
Prayer: Criminal Appeal filed under Section 14(A)(2) of SC/ST Act r/w 415(2) of BNSS, pleaded to set aside the impugned order dated 26.06.2025 passed in Crl.M.P.No.1642 of 2025 on the file of Principal District and Sessions Judge, Erode to the extent of granting interim bail with onerous conditions and enlarge the appellant/accused on regular bail recognizing his statutory right under Section 187(3) of BNSS.

For Appellant : Mr.R.Sankarasubbu
for M/s.D.Mario Johnson

For Respondents : Mr.S.Raja Kumar
Additional Public Prosecutor [R1]
Mr.N.Manoharan [R2]

Crl.A.No.873 of 2025

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Crl.A.Nos.612, 873, 874, 921 & 1065 of 2025

Saravanan
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... Appellant

Vs

1.The Deputy Superintendent of Police,
Erode,
Erode District.

2.The Inspector of Police,
Cithode Police Station,
Erode District.

3.Saranya

... Respondents

Prayer: Criminal Appeal filed under Section 14A(2) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, pleaded to set aside the order dated 16.05.2025 passed in Crl.M.P.No.1013 of 2025 on the file of the Vacation Sessions Judge, Mahalir Neethimandram (Fast Track Mahila Court), Erode District, allow this appeal consequently grant bail to the appellant in Crime No.137 of 2025 pending on the file of the Inspector of Police, Chithode Police Station, Erode District.

For Appellant : Mr.C.D.Sugumar

For Respondents : Mr.S.Raja Kumar
Additional Public Prosecutor [R1 & R2]
Mr.N.Manoharan [R3]

Crl.A.No.874 of 2025

Sethuvasan @ Kunda Boopalan

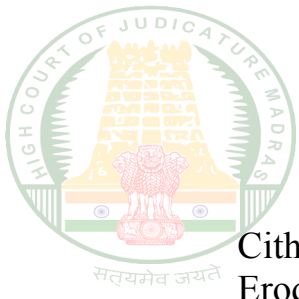
... Appellant

Vs

1.State rep. by
The Deputy Superintendent of Police,
Bhavani Sub-Division, Erode District.

2.The Inspector of Police,

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Cithode Police Station,
Erode District.
(Crime No.137 of 2025)

3.S.Saranya

... Respondents

Prayer: Criminal Appeal filed under Section 14-A(2) of SC/ST (Prevention of Atrocities) Amendment Act, 2015, pleaded to set aside the order passed by the learned Principal District and Sessions Judge, Erode in Crl.M.P.No.1700 of 2025 dated 01.07.2025 and enlarge the appellant on bail on such terms and conditions that may be imposed by this Court.

For Appellant : Mr.R.Sankarasubbu
for M/s.S.Sengkodi

For Respondents : Mr.S.Raja Kumar
Additional Public Prosecutor [R1 & R2]
Mr.N.Manoharan [R3]

Crl.A.No.921 of 2025

Saleem

... Appellant

Vs

1.The State rep by its,
The Deputy Superintendent of Police,
Bhavani Sub-Division,
Chithode Police Station,
Erode District.

2.The Inspector of Police,
Cithode Police Station,
Erode District.

3.S.Saranya

... Respondents

Prayer: Criminal Appeal filed under Section 14A of Schedule Caste/Scheduled Tribes (PoA) Amendment Act, 2015, pleaded to call for

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the records and to set aside the order dated 01.07.2025 in Crl.M.P.No.1742 of 2025 passed by the learned Principal Sessions Judge at Erode and enlarge the appellant on bail.

For Appellant : Mr.D.Padmanabhan

For Respondents : Mr.S.Raja Kumar
Additional Public Prosecutor [R1 & R2]
Mr.N.Manoharan [R3]

Crl.A.No.1065 of 2025

Sivakumar @ Gunda Siva

... Appellant

Vs

1.State rep. by:
The Deputy Superintendent of Police,
Bhavani Sub-Division,
Erode District.

2.The Inspector of Police,
Cithode Police Station,
Erode District.
(Crime No.137 of 2025)

3.S.Saranya

... Respondents

Prayer: Criminal Appeal filed under Section 14-A(2) of SC/ST (Prevention of Atrocities) Amendment Act, 2015, pleaded to set aside the order passed by the learned Principal Sessions Judge, Erode in C.M.P.No.1800 of 2025 dated 14.07.2025 and enlarge the appellant on bail on such terms and conditions that may be imposed by this Court.

For Appellant : Mr.R.Sankarasubbu
for M/s.S.Sengkodi

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



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Crl.A.Nos.612, 873, 874, 921 & 1065 of 2025

Mr.N.Manoharan [R3]

COMMON JUDGMENT

Since the issue involved in these appeals are inter-connected, with the consent of the learned counsel appearing for the parties in all the appeals, these appeals are heard together and disposed of by way of this common judgment.

2. The case of the prosecution is that the deceased belongs to Scheduled Caste community. On 19.03.2025, when the defacto complainant/private respondent herein and her deceased husband were travelling in their car on the Salem to Tirupur main road, near Nasiyanur, the appellants and other accused conspired together and had intentionally dashed the defacto complainant's car from behind and had abused the defacto complainant and her husband by indicating their caste, assaulting them with aruval and the victim died on the spot due to the severe injuries sustained by him. Therefore, the Inspector of Police, Chithode Police Station, Erode District has registered an FIR in Crime No.137 of 2025 for the offence punishable u/s 191(2), 191(3), 109(1), 103, 49, 61(2), 3(5) BNS and Section 3(2)(v)(va) of SC/St (POA) Act, 2015. Pursuant to



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which, some of the accused persons surrendered before the concerned jurisdictional Magistrate and some of the accused were arrested. While being so, A1/appellant in Crl.A.No.612 of 2025 filed a petition before the Principal District and Sessions Judge, Erode in Crl.M.P.No.1642 of 2025 seeking bail on the ground that the law enforcing agency failed to file the final report within the stipulated time, which was considered by the Trial Court and vide order dated 26.06.2025, granted interim bail on condition that he shall surrender before the Trial Court on 25.07.2025 at 10.30 a.m. Likewise, the other appellants herein have also filed petitions before the respective Trial Court seeking bail in Crl.M.P.Nos.1013, 1700, 1742 and 1800 of 2025 and the same were dismissed by way of the respective impugned orders. Challenging the impugned orders, the present appeals are filed seeking bail.

3. The learned counsel appearing for the appellant in Crl.A.No.612 of 2025 would submit that once the law enforcing agency fails to file the final report within the stipulated time, the appellant is entitled for regular bail, however the Trial Court has granted interim bail, which is wholly unsustainable. Further, he submitted that this appellant is undergoing



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incarceration for more than 90 days. Therefore, he prays for granting regular bail to A1.

4. The respective learned counsel appearing for the other appellants would submit that the appellants have no specific overt act even according to the case of the prosecution. They further submitted that these appellants have nothing to do with the alleged offence. Further, they have submitted that these appellants are undergoing incarceration for more than 90 days. Therefore, they pray for granting bail to these appellants.

5. The learned Additional Public Prosecutor appearing for the official respondents submitted that this is a preplanned murder and the appellants herein are having previous cases. During the broad daylight, the appellants have attacked the defacto complainant and her husband with aruval and caused injuries, thereby the husband of the defacto complainant died on the spot. Further, he submitted that now the charge sheet has been laid before the concerned Court and the same is pending for taking cognizance. He further submitted that the appellants have committed very serious and heinous offence as against the deceased. Therefore, the Trial Court has rightly granted interim bail for appellant in

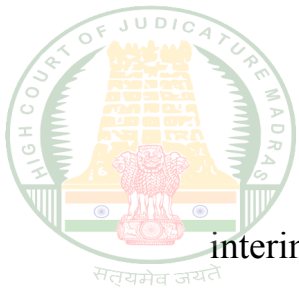


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Crl.A.No.612 of 2025/A1 and dismissed the applications for bail in respect of other appellants, which does not warrant any interference of this Court. Accordingly, he prays for dismissal of these appeals.

6. Heard the learned counsel appearing for the parties and also perused the materials available on record.

7. Admittedly, the appellants herein are arrayed as A1, A2, A9, A6 and A11 in this case. On 19.03.2025, when the deceased was travelling in a car along with his wife/defacto complainant in order to comply the condition imposed on him while he was granted bail in a case, in which he was an accused, the appellants herein and the other accused persons dashed the car and brutally attacked the deceased. Therefore, the deceased sustained grievous injuries and died on the spot, which was videographed by several commuters and the same was produced before this Court today. Further, the occurrence was taken place in the broad daylight, that too on a four lane road. It is contended by the learned counsel for the defacto complainant that when the interim bail was granted to A1, he threatened the defacto complainant and her brother-in-law with dire consequences that if they take any steps to cancel the



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interim bail granted to him, they will be murdered. Therefore, on the complaint lodged by the defacto complainant, once again, the Inspector of Police, Kitchipalayam Police Station, Salem registered an FIR in Crime No.234 of 2025 for the offence punishable u/s 296(b), 351(2) of BNS and Section 4 of TN Prohibition of Harassment of Women Act, 2002. Therefore, A1 had committed the alleged offence while he was in interim bail. As far as other accused persons are concerned, they have specific overt act. Further, all the accused persons have brutally attacked the deceased to death. Therefore, it is nothing but a retaliation murder. It is also seen that A1 had been involved in 11 cases, A2 had been involved in 14 cases, A9 had been involved in 13 cases and A6 had been involved in 14 cases. All the appellants herein are notorious criminals and if they are let out on bail, they will hamper and tamper the witnesses and evidences. Further, A1 after having accepted the interim bail granted by the Trial Court and surrendering before the Trial Court today, he cannot challenge the interim bail granted by the Trial Court. Therefore, this Court is not inclined to grant bail to the appellants herein.

8. In view of the above, this Court finds no infirmity or illegality in the impugned orders passed by the respective Trial Court. Accordingly,



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these Criminal Appeals are dismissed. The Trial Court is directed to take cognizance on the final report filed by the law enforcing agency and complete the trial within a period of six (6) months from the date of receipt of a copy of this judgment.

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 Principal District and Sessions Judge,
Erode.
- 2.The Vacation Sessions Judge,
Sessions Division,
Erode.
- 3.The Deputy Superintendent of Police,
Erode,
Erode District.
- 4.The Inspector of Police,
Cithode Police Station,
Erode District.
- 5.The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

sp

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