



Crl.A.No.1013 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

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

Crl.A.No.1013 of 2025

Balaguru

.....

Appellant

Vs

1.State Rep by
The Deputy Superintendent of Police,
Villupuram District.

2.State Rep by
The Station House Officer,
Villupuram All Women Police Station,
Villupuram.
(Crime No.72 of 2025)

3. Manjula

.....

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 in Crl.M.P.No.241 of 2025 dated 07.07.2025 by the Hon'ble Special Court for Exclusive Trial of Cases under the SC/ST (Prevention of Atrocities) Act 1989, Villupuram and enlarge the appellant on bail in Crime No.72 of 2025 on the file of the All Women Police Station, Villupuram.

For Appellant : Mr.K.Chandrasekar

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



Crl.A.No.1013 of 2025

JUDGMENT

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This Criminal Appeal has been filed as against the order made in Crl.M.P.No.241 of 2025 dated 07.07.2025 on the file of the Special Court for Exclusive Trial of Cases under the SC/ST (Prevention of Atrocities) Act 1989, Villupuram, thereby dismissing the petition for bail.

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

3. The appellant is the accused in Crime No.72 of 2025 on the file of the second respondent, registered for the offences punishable under Section 85 of Bharatiya Nyaya Sanhita, 2023, 313 of IPC and 3(2)(v) of SC/ST (Prevention of Atrocities) Act 1989. The third respondent lodged a complaint alleging that, the petitioner fell in love with the defacto complainant, who belongs to the Scheduled Tribes community and subsequently married her. The petitioner belongs to the MBC community. After the marriage, both were residing in their respective parental homes. In the meantime, when there was no one in the defacto complainant's house, the petitioner had sexual intercourse with her. Due to which, the defacto complainant had become pregnant and she



Crl.A.No.1013 of 2025

had been taken to the Thirukovilur Government Hospital and forced her to have an abortion by the petitioner. The petitioner subsequently refused to reunion on account of her community and also threatened the defacto complainant.

4. After registration of FIR as against the appellant, the appellant was he filed a bail application before the Special Court for Exclusive Trial of Cases under the SC/ST (Prevention of Atrocities) Act 1989, Villupuram in Crl.M.P.No.241 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., 27.06.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.241 of 2025 dated 07.07.2025 on the file of the Special Court for Exclusive Trial of Cases under the SC/ST (Prevention of Atrocities) Act 1989, Villupuram, is hereby set aside. This Criminal Appeal stands allowed.

6. The appellant is ordered to be released on bail on his execution



Crl.A.No.1013 of 2025

of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Cases under the SC/ST (Prevention of Atrocities) Act 1989, Villupuram 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 second 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



Crl.A.No.1013 of 2025

under Section 229A IPC.

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21.07.2025

Speaking order/Non-speaking order

Index : Yes/No

Internet : Yes/No

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To

1. The Special Court for Exclusive Trial of Cases under the SC/ST (Prevention of Atrocities) Act 1989, Villupuram

2. The Superintendent of Prison,
Sub Jail, Vedampattu,
Villupuram District.

3. The Deputy Superintendent of Police,
Villupuram District.

4. The Station House Officer,
Villupuram All Women Police Station,
Villupuram.

5. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.

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Crl.A.No.1013 of 2025

Crl.A.No.1013 of 2025

21.07.2025