



Crl.A.No.1039 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

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

Crl.A.No.1039 of 2025

Vijayakumar

....

Petitioner

Vs

1.State rep. By its
The Deputy Superintendent of Police,
Mangalamedu,
Perambalur District.

2.State rep. By its
The Inspector of Police,
All Women Police Station,
Perambalur District
(Crime No.32 of 2025)

3. Durga Devi.

....

Respondents

PRAYER : Criminal Appeal has been filed under Section 14(A) of SC/ST 1989 (Amendment Act) 1 of 2016, to set aside the order dated 15.07.2025 made in Crl.M.P.No.108 of 2025 passed by the learned Sessions Judge, Mahila Court (FAC) Sessions Judge, Special Court for Trial of Cases under SC & ST (PoA) Act, Perambalur and to allow the above criminal appeal by enlarging the appellant on bail.

For Appellant : Mr.M.N.Balakrishnan
for Mr.N.Arun Kumar

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

JUDGMENT



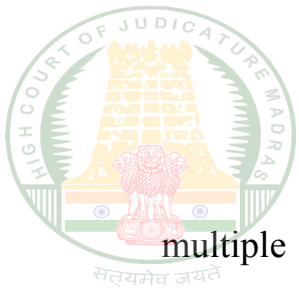
Crl.A.No.1039 of 2025

This Criminal Appeal has been filed as against the order made in

WEB COPY Crl.M.P.No.108 of 2025 dated 15.07.2025 on the file of the Sessions Judge, Mahila Court, Perambalur (FAC) Sessions Judge, Special Court for Trial of Cases under SC & ST (PoA) Act, Perambalur, 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.32 of 2025 on the file of the second respondent, registered for the offences punishable under Sections 191(2), 296, 115(2), 351(2), 74, 318(4) of Bharatiya Nyaya Sanhita, 2023 r/w 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. The third respondent, who belongs to the Scheduled Caste community, lodged a complaint alleging that, she fell in love with the appellant, who belongs to an upper caste and married him on 22.01.2015. At the time of marriage, she gave 19 sovereigns of gold as dowry to the appellant. After the marriage, the appellant is alleged to have abused the complainant both mentally and emotionally, misused her income, engaged in

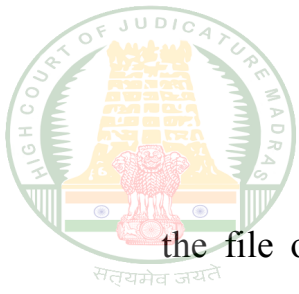


Crl.A.No.1039 of 2025

multiple illicit relationships and lived irresponsibly. In the year 2019, the appellant borrowed a sum of Rs.20 Lakhs from the complainant to purchase a lorry, which resulted in financial loss. Subsequently, in the year 2023, she availed a personal loan of Rs.13 Lakhs and handed over the amount to the appellant for his business. It is alleged that in total of Rs.46 lakhs was given to the appellant, which was squandered due to his negligence and mismanagement. On 19.03.2025, when the complainant questioned the appellant regarding his conduct and financial dealings, the appellant's family members verbally abused her and made caste based derogatory remarks. Hence, the case.

4. After registration of FIR as against the appellant, the appellant was arrested and remanded to judicial custody on 03.07.2025. Thereafter, he filed a bail application before the Sessions Judge, Mahila Court (FAC) Sessions Judge, Special Court for Trial of Cases under SC & ST (PoA) Act, Perambalur in Crl.M.P.No.108 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., 03.07.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.108 of 2025 dated 15.07.2025 on



Crl.A.No.1039 of 2025

the file of the Sessions Judge, Mahila Court (FAC) Sessions Judge, Special

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Court for Trial of Cases under SC & ST (PoA) Act, Perambalur, is hereby set aside. This Criminal Appeal stands allowed.

6. 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 sureties, each for a like sum to the satisfaction of the Special Court for Trial of Cases under SC & ST (PoA) Act, Perambalur 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]**.



Crl.A.No.1039 of 2025

[f] If the accused thereafter abscond, a fresh FIR can be registered

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23.07.2025

Speaking order/Non-speaking order

Index : Yes/No

Internet : Yes/No

Lpp

To

1.The Sessions Judge,
Mahila Court (FAC)
Sessions Judge,
Special Court for Trial of Cases under SC & ST (PoA) Act,
Perambalur

2. The Superintendent of Prison,
Central Prison, Thiruchirapalli.

3. The Deputy Superintendent of Police,
Mangalamedu,
Perambalur District.

4. The Inspector of Police,
All Women Police Station,
Perambalur District

G.K.ILANTHIRAIYAN, J.

Lpp

5. The Public Prosecutor,
High Court, Madras.



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Crl.A.No.1039 of 2025

Crl.A.No.1039 of 2025

23.07.2025