



Crl.A.No.1118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

CORAM

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

Crl.A.No.1118 of 2025

R.Vijayalakshmi

... Appellant

Vs

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

2. The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.
(Cr.No.269 of 2025)

3. A.Senthamizhselvi

...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 District and Sessions Judge, Nagapattinam in Crl.M.P.No.602 of 2025 dated 21.07.2025 and enlarge the appellant on bail in Cr.No.269 of 2025 pending on the file of Inspector of Police, Nagapattinam District.

For Appellant : Mr.M.D.Illaiyaraja

For R1 and R2 : Mr.S.Raja Kumar

Additional Public Prosecutor



Crl.A.No.1118 of 2025

JUDGMENT

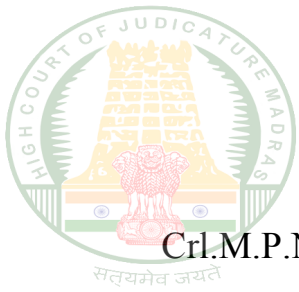
WEB COPY

This Criminal Appeal has been filed as against the order passed by the District and Sessions Judge, Nagapattinam in Crl.M.P.No.602 of 2025 dated 21.07.2025, 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 arrayed as second accused in Crime No.269 of 2025 on the file of the second respondent registered for the offences punishable under Sections 296(b), 351(2) of BNS, 2023, Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Case/Scheduled Tribes (Prevention of Atrocities) Act, alleging that due to civil dispute, the accused scolded the defacto complainant in filthy language using her caste name, poured the septic tank water on her and threatened her with dire consequences. Hence, the complaint.

4. After registration of FIR as against the appellant, the appellant was arrested and remanded to judicial custody on 16.07.2025. Thereafter, A2 filed a bail application before the District and Sessions Judge, Nagapattinam in



Crl.A.No.1118 of 2025

Crl.M.P.No.602 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., 16.07.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.602 of 2025 dated 21.07.2025 on the file of the District and Sessions Judge, Nagapattinam, 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) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate I, Nagapattinam 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 respondent police as and when required for interrogation.

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



Crl.A.No.1118 of 2025

[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.

30.07.2025

Speaking order/Non-speaking order

Index :Yes/No

Internet :Yes/No

mn



Crl.A.No.1118 of 2025

1. The District and Sessions Judge, Nagapattinam.
2. The Judicial Magistrate I, Nagapattinam.
3. The Superintendent of Prison,
District Prison, Nagapattinam.
3. The Deputy Superintendent of Police,
Nagapattinam,
Nagapattinam District.
4. The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.
5. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.A.No.1118 of 2025

G.K.ILANTHIRAIYAN, J.

mn

Crl.A.No.1118 of 2025

30.07.2025