



Crl.A.No.1138 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 31.07.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.A.No.1138 of 2025

Silambarasan,
S/o. Rajendran

... Appellant

Versus

1.The Deputy Superintendent of Police,
Vedaranyam, Nagapattinam District.

2.The State Rep. By,
The Inspector of Police,
Nagore Police Station,
Nagapattinam District.

3.Mahadevan

... Respondents

Prayer: Criminal Appeal is filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act,(SC & ST (POA)) 2015, to set aside the order dated 23.07.2025, made in Cr.M.P.No.594 of 2025 passed by the learned District and Sessions Judge, Nagapattinam, and enlarge the petitioner on bail in Crime No.278 of 2025, on the of the respondent.

For Appellant : Mr. M. Vijay

For Respondent : Mr. S. Raja Kumar (for R1 & r2)
Additional Public Prosecutor



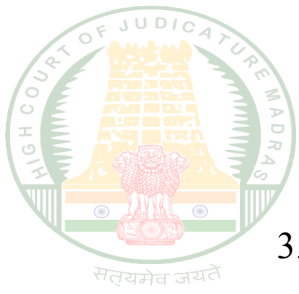
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JUDGMENT

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passed in Cr.M.P.No.594 of 2025 by the learned District and Sessions Judge, Nagapattinam, whereby the bail application filed by the appellant was dismissed.

2. The appellant is the accused in a case registered on the complaint lodged by the third respondent in Crime No.278 of 2025. It is alleged that the appellant abused the victim using filthy language, including reference to the defacto complainant's caste name and also outraged the modesty of the victim. The third respondent belongs to SC Community. Based on the said allegations, the First Information Report was registered against the appellant for the offences punishable under Sections 296(b), 79, 299, 302, 353(2) of the Bharatiya Nyaya Sanhita (BNS), 2023; Section 67 of Information Technology Act, 2000; read with Sections 3(1)(r), 3(1)(s), & 3(1)(p) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.



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3. Pursuant to the registration of the F.I.R., the appellant was arrested and remanded to judicial custody on 14.07.2025. However, without appreciating the facts and circumstances of the case, the Trial Court dismissed the application for bail, filed by the appellant.

4. Considering the period of incarceration already undergone by the appellant, and the overall circumstances of the case, this Court is inclined to grant bail to the appellant.

5. Accordingly, this Criminal Appeal is allowed, and the order passed in Crl.M.P.No.594 of 2025 dated 23.07.2025 by the learned District and Sessions Judge, Nagapattinam, is hereby set aside.

6. The appellant is ordered to be released on bail on his execution of a separate 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 District and Sessions Court, Nagapattinam, and subject to the following conditions:

[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



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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 15 days 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 was 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]**; and

[f] If the appellant thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

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Index : Yes/No
Neutral Case Citation : Yes/No
Speaking/Non-Speaking Order

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To
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- 1.The District and Sessions Judge, Nagapattinam
cum Special Court under SC & ST at Nagapattinam.
- 2.The Deputy Superintendent of Police,
Vedaranyam, Nagapattinam District.
- 3.The Superintendent, District Jail, Pudukottai.
- 4.The Inspector of Police,
Nagore Police Station, Nagapattinam District.
- 5.The Public Prosecutor, High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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