



Crl.A.No.1162of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 20.08.2025

CORAM

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

Crl.A.No.1162 of 2025

Vijaykrishnan @ Ajai

.....

Appellant

Vs.

1. The State Rep. by,
The Inspector of Police,
Villupuram All Women Police Station,
Villupuram District.
(Cr.No.85 / 2025)

2. Srimathi

.....

Respondents

Prayer: Criminal Appeal is filed under Section 14(A) of the Scheduled Castes and Scheduled Tribes Act, to set aside the impugned order passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram in Crl.M.P.No.257/2025, dated 21.07.2025.

For Appellant : Mr.C.R.Gokulvisvas

For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor
for R1

No appearance for R2



JUDGMENT

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This appeal has been preferred as against the order dated 21.07.2025 passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram in CrI.M.P.No.257/2025, thereby rejecting bail to the appellant.

2. The appellant was arrested and remanded to judicial custody on 25.06.2025 in pursuance of registration of FIR in Cr.No.85/2025 for the offences punishable under Section 69 BNS, Section 3(1)(r), 3(1)(s), 3(2)(v) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act. The second respondent / *de facto* complainant lodged a complaint against the appellant alleging that on the pretext of marriage the appellant had sexual relationship with her and thereafter he refused to marry her.

3. On a perusal of the records it reveals that the *de facto* complainant is aged about 25 years and there was no love affair between the second respondent and the appellant. However, on the pretext of marriage, the appellant had physical relationship with her for several times. While being so, on 12.06.2025 the second respondent met with an accident and she was



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admitted in a hospital and the appellant helped her in admitting the hospital.

Thereafter, the appellant refused to marry her.

4. The entire allegation is artificial in nature. That apart, the second respondent, aged about 25 years, pretty well knew about the consequences of having physical relationship. It is not the case of the prosecution that the *de facto* complainant became pregnant and thereafter the appellant refused to marry her. Further, the appellant is in incarceration since 25.06.2025.

5. Though notice was served on the second respondent and her name is printed in the cause list, she did not appear in-person or through counsel before this Court.

6. Considering the facts and circumstances of the case and also the period of incarceration undergone by the appellant, this Court is inclined to grant bail to the appellant.

7. Accordingly, this Criminal Appeal is allowed and the order dated 21.07.2025 passed by the learned Sessions Judge, Special Court for Exclusive



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Trial of Cases registered under SC/ST (POA) Act, Villupuram in
Crl.M.P.No.257/2025, is hereby set aside.

8. The appellant is ordered to be released on bail on his execution of 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 learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, 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 respondent police daily at 10.30 a.m., for a 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



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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.

20.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
bkn

To:

- 1.The Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram.
2. The Inspector of Police,
Villupuram All Women Police Station,
Villupuram District.
3. The Superintendent,
Villuoram Sub Jail.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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