



Crl.A.No.1221 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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<i>Reserved on</i>	<i>18.08.2025</i>
<i>Pronounced on</i>	<i>22.08.2025</i>

CORAM

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

Crl.A.No.1221 of 2025

1. Sundaraj @ Sudhakar

2. Gowri Shankar

Appellants

Vs

The State rep. by

1. Assistant Commissioner of Police,
Guduvancheri Range,
Guduvancheri.

2. The Inspector of Police,
Guduvancheri Police Station,
Tambaram District.
(Cr.No.202/2025)

3. Jayagandhi

4. Pushparaj

5. Dinesh

Respondents

Prayer: Criminal Appeal filed is under Section 14A(2) of SC/ST Act, to set aside the order in Crl.M.P.No.2284 of 2025 passed by the Court of Principal District and Sessions Judge, Chengalpattu and enlarge the appellants on bail pending investigation in Cr.No.202 of 2025 on the file of this Court.



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For Appellant : Mr.R.C.Paul Kanagaraj

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

Mrs.S.Deepika
for Mr.D.Paventhan for R3 to R5

JUDGMENT

This appeal has been preferred as against the order dated 06.08.2025 in Crl.M.P.No.2284 of 2025 passed by the learned Principal District and Sessions Judge, Chengalpattu, thereby dismissing the petition for bail.

2.The appellants were arrested and remanded to judicial custody on 29.07.2025 in pursuance of registration of FIR in Cr.No.202 of 2025 for the offences punishable under Section 3(1)(a), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 and Section 115(2), 118(1), 191(2), 191(3), 296(b), 351(3) of BNS, 2023, alleging that on 27.07.2025 the *de facto* complainant / third respondent and her husband were attacked by the first accused along with other accused due to previous enmity.

3. The *de facto* complainant is a Panchayat President of Kayarambedu Village and she belongs to Schedule Caste community. The first accused is the Vice President of the said Panchayat and he belongs to other community.

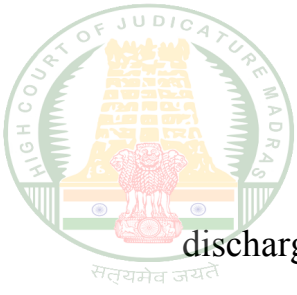


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The first accused along with other accused have abused the *de facto* complainant and her husband by using her caste name and uttered derogatory words towards her and also assaulted them with iron pipe. Hence the complaint.

4. The learned counsel for the appellants would submit that there are totally 7 accused in this case and the appellants are arrayed as A6 and A7. In fact, now the first accused was removed from the FIR since he was not present in the scene of occurrence. He would further submit that the enmity is only between the first accused and the *de facto* complainant and the appellants are falsely implicated in this case.

5. Per contra, the learned counsel for the third respondent would submit that the third respondent was selected as Panchayat President under the reserved category. From day one, the first accused and his relatives did not allow the third respondent to perform her official duty as Panchayat President. Due to previous enmity the accused assaulted the third respondent and her husband and that apart they uttered derogatory words towards the *de facto* complainant and her husband by using their community name. The *de facto* complainant and her husband sustained injuries and they were



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discharged from the hospital.

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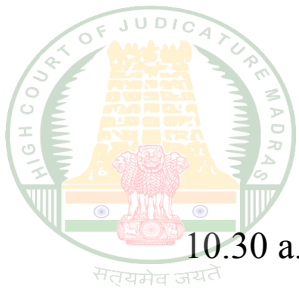
6. Considering the above facts and circumstances of the case and also considering the period of incarceration undergone by the appellants, this Court is inclined to grant bail to the appellants.

7. Accordingly, this Criminal Appeal is allowed and the order dated 06.08.2025 in Crl.M.P.No.2284 of 2025 passed by the learned Principal District and Sessions Judge, Chengalpattu, is hereby set aside.

8. The appellants are ordered to be released on bail on their 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 Principal District and Sessions Judge, Chengalpattu 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 appellants shall report before the respondent police daily at



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10.30 a.m., for a period of two weeks and thereafter as and when required for

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interrogation.

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

[d] the appellants 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.

22.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To:

- 1.The Principal District and Sessions Judge, Chengalpattu.
2. Assistant Commissioner of Police,
Guduvancheri Range,
Guduvancheri.
3. The Inspector of Police,
Guduvancheri Police Station,
Tambaram District.
4. The Public Prosecutor,
Madras High Court.

Pre-delivery Judgment in

Crl.A.No.1221 of 2025

22.08.2025