



Crl.A.No.1222 of 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.1222 of 2025

Abishak

.....

Appellant

Vs.

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

2. The Inspector of Police,
Ariyur Police Station,
Vellore District.
(Crime No.116/2025)

3. Selvam

.....

Respondents

Prayer: Criminal Appeal is filed under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes Act, to set aside the order passed by the learned Sessions Court / Trial Cases under Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, Vellore, Vellore District in Crl.M.P.No.421/2025 dated 05.08.2025 and enlarge the appellant on bail in Cr.No.116 of 2025 pending on the file of the Inspector of Police, Ariyur Police Station, Vellore District.



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For Appellant : Mr.E.Kannadasan

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

No appearance

JUDGMENT

This appeal has been preferred as against the order dated 05.08.2025 passed by the learned Sessions Court / Trial Cases under Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, Vellore, Vellore District in CrI.M.P.No.421/2025, thereby rejecting bail to the appellant.

2. The appellant was arrested and remanded to judicial custody on 12.07.2025 in pursuance of registration of FIR in Cr.No.116/2025 for the offences punishable under Section 296(b), 115(2), 118(1), 351(3) of BNS, 2023 and Section 3(1)(r), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act.

3. The case of the prosecution is that when the third respondent / *de facto* proceeded in his two wheeler at 03.00 p.m. on 10.07.2025, the appellant and his uncle attacked the *de facto* complainant with their hands and legs. The *de facto*



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complainant belongs to SC community. Hence the complaint.

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

5. 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.

6. Accordingly, this Criminal Appeal is allowed and the order dated 05.08.2025 passed by the learned Sessions Court / Trial Cases under Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, Vellore, Vellore District in Crl.M.P.No.421/2025, is hereby set aside.

7. 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 Court / Trial Cases under Schedule Caste and Schedule Tribes (Prevention of



Atrocities) Act, Vellore, Vellore District and on further conditions that:

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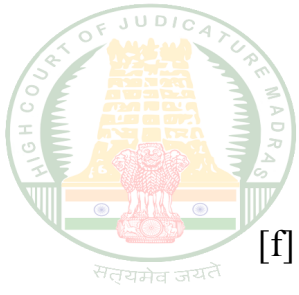
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[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 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]**.



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

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

To:

1. The Judge, Sessions Court / Trial Cases under Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, Vellore, Vellore District.

2. The Deputy Superintendent of Police,
Vellore Town,
Vellore District.

3. The Inspector of Police,
Ariyur Police Station,
Vellore District.

4. The Public Prosecutor,
High Court of Madras,
Chennai.

5. The Superintendent,
Central Prison, Vellore.



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G.K.ILANTHIRAIYAN, J.

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