



Crl.A.No.1288 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

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

Crl.A.No.1288 of 2025

Venkatesan

... Appellant

Vs

1.The State Rep by,
The Assistant Commissioner of Police,
Ambattur Range, Thiruvallur District.

2.The State by,
The Inspector of Police,
All Women Police Station,
Ambattur, Tiruvallur District.
(Crime No. 33/2025)

3.Mrs. Vaishali

...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 Learned Principal District and Sessions Judge, Thiruvallur in Crl.MP.No.3180/2025 dated 11.08.2025 and enlarge the appellant on bail concerned in Crime No. 33/2025 on the file of the Inspector of Police, All Women Police Station, Ambattur, Tiruvallur District.

For Appellant	: Mr.A.Murugavel
For R1 and R2	: Mr.S.Raja Kumar Additional Public Prosecutor
For R3	: Mr.M.John Kennady for Mr.E.Narayanan



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JUDGMENT

This Criminal Appeal has been filed as against the order made in Crl.M.P.No. 3180 of 2025 dated 11.08.2025 on the file of the Principal District and Sessions Judge, Thiruvallur, thereby dismissing the petition for bail.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2 and learned counsel for the 3rd respondent and perused the materials placed before this Court.

3. The appellant is arrayed as 3rd accused in Crime No.33 of 2025 on the file of the second respondent registered for the offences punishable under Sections 498(A),506(1) of IPC, 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989.

4. The case of the prosecution is that on the complaint lodged by the defacto complainant/3rd respondent alleging that 1st accused fell in love with the 3rd respondent and got married on 25.05.2018. Out of their wedlock, she gave birth to a female child. While being so, when the 1st marriage is very much subsisting, the 1st accused married the 2nd accused. When it was questioned by the defacto complainant/3rd respondent, A1 abused her by using her caste name.



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Further, the other accused persons also support the case of the 1st accused. The

appellant is arrayed as A3, who is the father-in-law of the defacto complainant.

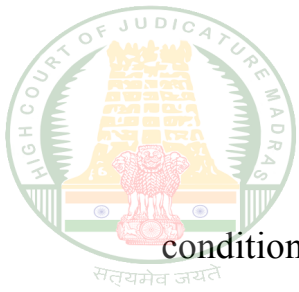
Even according to the 3rd respondent, there is no specific overt act against the appellant. That apart, the appellant has been suffering incarceration from 28.07.2025.

5. After registration of FIR as against the appellant, the appellant was arrested and remanded to judicial custody on 28.07.2025. However, without considering the above facts and circumstances, the Trial Court has dismissed the application for bail filed by the appellant.

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

7. Accordingly, the Criminal Appeal stands allowed and the order made in Crl.MP.No.3180/2025 dated 11.08.2025 on the file of learned Principal District and Sessions Judge, Thiruvallur is hereby set aside.

8. 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) with two sureties, each for a like sum to the satisfaction of the **Principal District and Sessions Judge, (Special Court for SC/ST Act cases) Thiruvallur** and on further



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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 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 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.

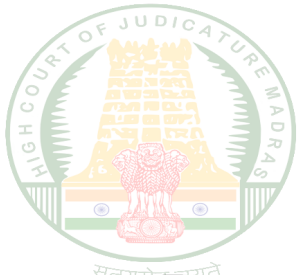
22.08.2025

Speaking order/Non-speaking order

Index :Yes/No

Internet :Yes/No

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To
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1. The Principal District and Sessions Judge, (Special Court for SC/ST Act cases) Thiruvallur
2. The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
3. The Assistant Commissioner of Police,
Ambattur Range, Thiruvallur District.
4. The Inspector of Police,
All Women Police Station,
Ambattur, Tiruvallur District.
5. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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