



CrI.A.No.109 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14.02.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.A.No.109 of 2025

Mrs.R.Vijayalakshmi, W/o T.Velu

.. Appellant

Vs.

1. The State Rep. by Inspector of Police,
Uthangarai Police Station,
Crime No.645/2023

2. Venkataraman, S/o Kamaraj

3. Madhaiyan, S/o Thangavel

4. Kavitha, W/o Venkataraman

5. Gnanaselvi, W/o Venkataraman

6. Chinnapappa, W/o Thangavel

.. Respondents

Criminal Appeal filed under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, to cancel the bail granted to the 2nd to 6th respondents in CrI.M.P.No.216 of 2024, dated 12.01.2024 by the Principal and Sessions Judge, Krishnagiri.

For appellant : M/s.S.Sridevi

For respondents: Mr.S.Sugendran, Addl.PP. for R-1

Mr.K.Thiruvengadam for RR-2 to 6

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ORDER

The appellant/de-facto complainant has filed this appeal for cancellation of the bail granted by the trial Court to the respondents 2 to 6 herein.

2. Learned counsel for the appellant submitted that the respondents 2 to 6 herein had obtained an order of bail on 12.01.2024 from the trial Court in CrI.M.P.No.216 of 2024 (regarding Crime No.645 of 2023), wherein, in paragraph 6, it was observed by the learned trial Judge as follows:

"6. On going through the records placed before the Court, it is clear that the petitioners are permanent resident of Uthangarai and the defacto complainant hails from southern district, she loved one Velu and she has married him and the permanent resident of defacto complainant is in Theni District, but for the education of the children she has settled at Uthangarai and she was living with her mother-in-law and other family members. While being so, with respect of the said property dispute, this defacto complainant is giving a case against the petitioners cannot be ruled out. When the defacto complainant was questioned, she has stated that initially resided at Madras



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thereafter, shifted to the Uthangarai. Why she has shifting the residence from Chennai to Uthangarai was not clearly stated by the defacto complainant and the case against the petitioners with respect of the property dispute cannot be ruled out. In the said circumstances this court is inclined to grant bail to the petitioners on the following conditions:

(a) In the result, petition is allowed and the petitioners are hereby ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- each with two sureties for a like sum each to the satisfaction of this court.

(b) The sureties shall affix their photographs and left Thumb impression in the surety bond and this court may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(c) Further, the petitioners shall make themselves available for interrogation as and when required by the investigating officer.

(d) The petitioners shall appear and sign before the respondent police daily at 10.00 A.M., and 5.00 P.M., for 30 days.

(e) The petitioners shall not abscond during trial and shall not tamper with witness/defence.

(f) The petitioners should not cause threat to the defacto complainant.

(g) On breach of any of the aforesaid



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conditions, this Court is entitled to take appropriate action against the petitioners in accordance with law. If the petitioners absconds, a fresh F.I.R. shall be registered u/sec 229-A IPC, with the above conditions, this petition is allowed."

3. Thereafter, the respondents 2 to 6 have threatened the appellant-de-facto complainant and have also caused assault to the husband of the appellant and a complaint was also made before the first respondent-Police, and subsequent to the same, the Police had registered the following cases:

(a) Crime No.173 of 2024 on 21.04.2024 for the alleged offences punishable under Section 294(b), 323, 324 and 506 (Part-2) IPC based on the complaint of one Velu.

(b) counter case - Crime No.174 of 2024 on 21.04.2024 for the alleged offences punishable under Section 294(b), 232, 324 and 506 (Part-2) IPC, based on the complaint of the accused Gnanaselvi.

4. From a perusal of the papers in this appeal, it is clear that the respondents 2 to 6/accused, have violated the conditions imposed by the trial Court while passing the impugned order of bail, and therefore, the appellant/de-



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facto complainant contends that the bail granted by the trial Court may be cancelled. After giving sufficient opportunities by the trial Court, still, the accused have not come forward for disposal of the main case.

5. Heard both sides and perused the materials available on record.

6. Admittedly, the trial Court granted bail on 12.01.2024 to the respondents 2 to 6 herein, with conditions as extracted above. The subsequent records show that a case-in-counter was also registered against the respondents as quoted above.

7. It is seen that the respondents 2 to 6/accused have violated the conditions imposed by the trial Court in the impugned order dated 12.01.2024, and hence, the bail granted by the trial Court to the respondents 2 to 6, is hereby cancelled and the impugned order dated 12.01.2024 is set aside. The first respondent-Police is directed to secure the custody of the accused (respondents 2 to 6 herein) and commit them to the Central Prison, Coimbatore, till the disposal of S.C.No.27 of 2024 by the trial Court.

8. Since it is stated by the learned counsel for the appellant/de-facto

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complainant that the main case in S.C.No.27 of 2024 is pending before the trial Court and it is listed for hearing on 28.03.2025, the trial Court is directed to expedite the trial in S.C.No.27 of 2024 and both parties are directed to extend their fullest co-operation for disposal of S.C.No.27 of 2024.

9. In the meantime, the first respondent-Police is directed to extend their Police protection to the appellant/de-facto complainant and witnesses till the disposal of the said S.C.No.27 of 2024.

10. With the above directions, this Criminal Appeal is disposed of.

14.02.2025

CS

Office to note: Issue order copy on 18.02.2025

To

1. The Inspector of Police,
Uthangarai Police Station, Coimbatore District.
2. The Public Prosecutor, High Court, Madras.
3. The Principal District and Sessions Judge, Krishnagiri District.
4. The Superintendent, Central Prison, Coimbatore.

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P.VELMURUGAN, J

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