



WEB COPY

CRL A No. 1327 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1327 of 2025

1. SILAMBARASAN

S/o.Devendiran Semmeri Village,
Thittagudi Taluk, Cuddalore District

Appellant(s)

Vs

1. State rep by the

Deputy Superintendent of Police,
Cuddalore, Cuddalore District

2.State rep by the Station House Officer

Pennadam Police Station,
Cuddalore District Cr.No.164 of 2025

3.Pazhaniyammal

W/o.Pazhanivel, Mariyammana Koil
Street, Mel Irulampattu, Thittagudi
Taluk, Cuddalore District

Respondent(s)



CRL A No. 1327 of 2025

PRAYER

To set aside the order passed by the Learned Sessions Judge, Special Court for trial of cases under SC/ST(POA) Act, Cuddalore in CrI.M.P.No.1048 of 2025 dated 05.08.25 and enlarge the appellant on bail concerned in Cr.No.164 of 2025 on the file of 2nd respondent police station

CRL A No. 1327 of 2025

For Appellant(s): M. Ragul Kousik
T.Reena

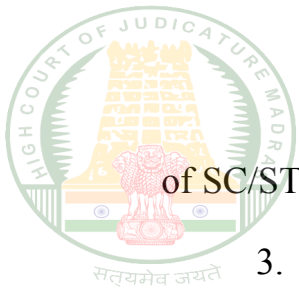
For Respondent(s): Public Prosecutor For R1 And R2
Court Notice Served For R3
R3 - Pazhaniyammal,
W/o.Pazhanivel, Mariyamman
Koil Street, Mel Irulampattu,
Thittagudi Taluk, Cuddalore
District

For R1 and R2 Mr. V. Meganathan, Government
Advocate criminal side

ORDER

This petition has been filed to set aside the order passed by the Learned Sessions Judge, Special Court for trial of cases under SC/ST(POA) Act, Cuddalore in CrI.M.P.No.1048 of 2025 dated 05.08.25 and enlarge the appellant on bail concerned in Cr.No.164 of 2025 on the file of 2nd respondent police station.

2. The petitioner/accused is in judicial custody for the offences charged under Section 126(2), 115(2), 351(2), 64(1), 62 of BNS Act r/w Section 3(2)(va)



of SC/ST (POA) Act, 1989 in crime No. 164 of 2025.

3. The case of the prosecution is that the petitioner stalked the victim when she was walking alone and pulled her and misbehaved with her violently. Hence, the case.

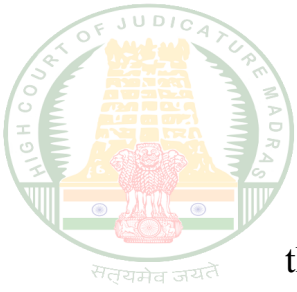
4. The learned counsel for the petitioner submits that petitioner is judicial custody for the past 75 days and he is no way connected with this case. Hence, he prays to grant bail to the petitioner.

5. The learned Government Advocate Criminal side submits that the defacto complainant/victim is an illiterate women and she has no money to contest case. Further, he stated that the petitioner has misbehaved with her. Hence, he prays to dismiss this petition.

6. Despite serving notice, none appeared for the victim.

7. Considering the facts and circumstances of the case and also the period of incarceration undergone by the petitioner. Further, the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner with condition that the petitioner shall not communicate with the defacto complainant.

8. Accordingly, the petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the Sessions Judge, Special Court for Trial of cases under SC/ST (POA) Act, Cuddalore. and on further conditions that::



WEB COPY

(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 petitioner shall report before the respondent police on alternative days at 10.30 a.m. for the period of three months.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

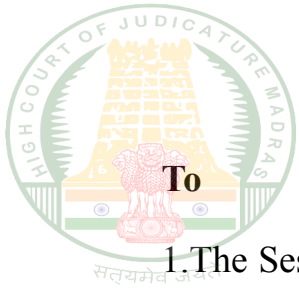
(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

08-09-2025

pbl



To

1. The Sessions Judge, Special Court for Trial of cases under SC/ST (POA) Act, Cuddalore.

2. The Station House Officer, Pennadam Police Station, Cuddalore District.

3. The Superintendent of Prison, Central Prison, Cuddalore.

4. The Public Prosecutor, High Court, Madras

Note :-

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the Official Website of this Court will be watermarked and will also have a QR Code.



WEB COPY

CRLA No. 1327 of 2025



T.V.THAMILSELVI J.

CRLA No. 1327 of 2025

10-09-2025