

CRL A. No. 1358 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 16.09.2025

CORAM:

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

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1.Siva @ Sivaraj
S/o.Sekar,
Mettu Theru, Vallam,
Sembanarkovil,
Tharangampadi Taluk,
Mayiladuthurai District.

2.Sekar (M/80)
S/o.Thangarasu,
Mettur Theru, Vallam,
Sembanarkovil,
Tharangampadi Taluk,
Mayiladuthurai District.

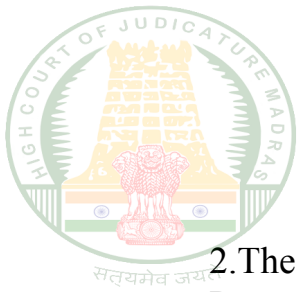
3.Appu @ Kalaivendhan (M/30)
S/o.Kumar,
Agharahara Theru,
Sembanarkovil,
Tharangampadi Taluk,
Mayiladuthurai District.

... Appellants

Versus

State rep., by

1.The Deputy Superintendent of Police,
Mayiladuthurai District.



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2.The State,
Rep., by the Inspector of Police,
Sembanarkovil Police Station,
Mayiladuthurai District.

3.Naveen Kumar,
S/o.Asaithambi,
Puthutheru, Vallam,
Sembanarkovil,
Tharangampadi Taluk,
Mayiladuthurai District.

... Respondents

PRAYER: Criminal Appeal filed under Section 14 A(2) of S.C. S.T. Amendment Act 2015 to set aside the order passed in Crl.M.P.No.1119 of 2025 by the learned Principal District & Sessions Judge, (Special Court under SC & ST Atrocities Act) at Mayiladuthurai dated 21.08.2025 and enlarge the petitioners on bail in Crime No.221 of 2025, on the file of the Inspector of Police, Sembanarkovil Police Station, Mayiladuthurai District.

For Appellants : Mr. P. Dinesh Kumar.

For Respondents : Mr. V. Meganathan, Government
Advocate (Crl.Side) for R1 & R2.

No appearance for R3.

J U D G M E N T

This Criminal Appeal has been filed to set aside the order passed



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in bail petition in Crl.M.P.No.1119 of 2025 dated 21.08.2025, on the file
of the learned District and Sessions Judge, Mayiladuthurai.

2.The case of the prosecution is that the appellants who are ranked as A2 to A4 way laid the defacto complainant and scolded him in filthy language by using his caste name and assaulted him using knife with regard to installation of flex board by him in a cricket tournament reflecting the name of a political party and thus, a case has been registered against the appellants in Cr.No.221 of 2025.

3.The learned counsel for the appellants submits that they have been falsely implicated in this case as if they had humiliated the defacto complainant by saying his caste name and the dispute was originally regarding the cricket tournament among the parties. Hence, the learned counsel for the appellants sought for setting aside the order dated 21.08.2025 and granting bail.

4.Though notice has been served on the third respondent / defacto complainant, none appeared.



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5. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that if the appellants are released on bail, they may tamper the evidence and thus, opposed for grant of bail.

6. Heard the parties and perused the materials available on record. It is seen from the records the appellants are in prison from 05.08.2025, 31.07.2025 and 30.07.2025 respectively. Considering the submissions made on either side and that the investigation has been completed and the final report has been filed; that there is no possibility of tampering the evidence; and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the appellants with certain conditions.

7. Accordingly, the appellants are ordered to be released on bail executing a bond for a sum of Rs.10,000/- (Rupees Fifteen Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Mayiladuthurai District.

[a] the sureties shall affix their photographs and



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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 learned Principal District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Mayiladuthurai District everyday at 10.30 a.m., until further orders;

[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 appellants in accordance with law as if the conditions have been imposed and the appellants 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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

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To

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

2.The Deputy Superintendent of Police,
Mayiladuthurai District.

3.The Inspector of Police,
Sembanarkovil Police Station,
Mayiladuthurai District.

4.The Principal District and Sessions Judge,
Special Court under SC/ST Atrocities Act,
Mayiladuthurai.

5.The Sub Jail,
Tharagambadi.

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