



*Crl.A.Nos.1356 & 1313 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

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CORAM:

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

Crl.A.Nos.1356 & 1313 of 2025

Crl.A.No.1356 of 2025

Mithun @ Selvamurugan

... Appellant

Vs.

1.The State Rep. by  
The Assistant Commissioner of Police,  
Anupparpalayam Range,  
Tiruppur City,  
crime No.384 of 2025

2.The State represented by  
The Inspector of Police,  
Anupparpalayam Range,  
Tiruppur City,  
crime No.384 of 2025

3.R.Gomathi

... Respondents

**PRAYER:** Criminal Appeal filed under Section 14-A of the SC and ST(Prevention of Atrocities) Act, 1989, praying to set aside the order of dismissal of bail application through the order dated 18.08.2025 made in Crl.MP.No.104 of 2025 in crime No.384 of 2025 on the file of the learned Special Court for Trial of Cases under SC/ST(PoA) Act, Tiruppur and grant bail to the appellant.



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*Crl.A.Nos.1356 & 1313 of 2025*

For Appellant : Mr.R.John Sathayan,  
Senior Counsel  
for Mr.N.S.Sunganthan

For Respondents  
For R1 & R2 : Mr.S.Raja Kumar,  
Additional Public Prosecutor

For R3 : Mr.B.Kumarasamy

Crl.A.No.1313 of 2025

Ranjitha ... Appellant  
Vs.

1.The State Rep. by  
The Assistant Commissioner of Police,  
Anupparpalayam Range,  
Tiruppur City,  
crime No.384 of 2025

2.The State represented by  
The Inspector of Police,  
Anupparpalayam Police Station,  
Tiruppur City,  
crime No.384 of 2025

3.R.Gomathi ... Respondents

**PRAYER:** Criminal Appeal filed under Section 14-A of the SC and ST(Prevention of Atrocities) Act, 1989, praying to set aside the order of dismissal of bail application through the order dated 18.08.2025 made in Crl.MP.No.103 of 2025 in crime No.384 of 2025 on the file of the learned Special Court for Trial of Cases under SC/ST(PoA) Act, Tiruppur and grant bail to the appellant.



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For Appellant : Mr.R.John Sathayan,  
Senior Counsel  
for Mr.N.S.Sunganthan

For Respondents  
For R1 & R2 : Mr.S.Raja Kumar,  
Additional Public Prosecutor

For R3 : Mr.B.Kumarasamy

### **COMMON JUDGMENT**

These Criminal Appeals have been filed praying to set aside the orders of dismissal of bail petitions through the orders dated 18.08.2025 made in Crl.MP.Nos.104 & 103 of 2025 in crime No.384 of 2025 on the file of the learned Special Court for Trial of Cases under SC/ST(PoA) Act, Tiruppur, and to grant bail to the appellants.

2. The case of the prosecution was that the 3rd respondent/defacto complainant is the wife of the deceased person named Dhayalan. He was working as Fabric in-charge in the Banyan Company of the first accused, which is being run in the name and style of 'Jetta Fashions'. Under such circumstances, on 03.07.2025, at about 09.00 hours, the 3rd respondent/defacto complainant had received a phone call from the wife of A1, whereby she told that the defacto complainant's husband had stolen banyan rolls and sold to some third parties illegally

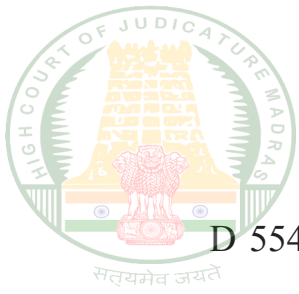


and asked to come along with her husband to the Banyan Company.

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Therefore, the 3rd respondent/defacto complainant along with her husband/deceased went to the Banyan Company at about 10.00 hours on the same day. While being so, A1, his wife/A2 along with 5 others had enquired her husband/deceased regarding theft and selling of Banyan Rolls, thereby the deceased, who is the husband of the defacto complainant, had admitted that he had stolen the goods for the reason the salary and petrol allowances were irregular for the past four years. After admission by the husband of the 3rd respondent/defacto complainant and caught red handed with the misappropriation through G-Pay, the accused persons assaulted the husband of the 3rd respondent/defacto complainant indiscriminately by insulting him using the caste name. The video was also recorded by the accused persons.

2.1 Under such circumstances, the 3rd respondent/defacto complainant had attempted to prevent them. However, the accused persons had made the 3rd respondent/defacto complainant to wait outside and tortured her husband till 9.00 by confining him in a separate room. Thereafter, the accused persons seized the 3rd respondent's husband's mobile phone, aadhar card, Black Color Splendor Bike bearing No. TN 39



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D 5549 and also obtained undertaking on a White Paper stating that the land measuring 2 ½ cents in the name of mother in law of the 3rd respondent would be conveyed to the accused. It was stated by the 3rd respondent/defacto complainant that the Accused Persons have made only contused wound and as such there was no external injuries. Under such circumstances, on 04.07.2025, the land which was in the name of the mother-in-law of the 3rd respondent/defacto complainant was coerced and transferred in the name of the father in law of A1. Further, they had threatened the 3rd respondent/defacto complainant and her mother-in-law with dire consequences and also asked them to bring the bank details on 05.07.2025. Therefore, due to the depression and insult, the husband had consumed 'ALL OUT-Mosquito Liquid' and was in Government Hospital for 3 days. Therefore, 3rd respondent/defacto complainant had made a complaint at this stage before the Commissioner of Police on 08.07.2025.

2.2 Further, it was alleged in another FIR for the same offence in Crime No.383 of 2025 dated 16.07.2025, it was stated that the 3rd respondent/defacto complainant's husband, due to pain and insult, had consumed insecticide on 15.07.2025 at about 08.00 pm. Therefore, he was fainted at about 11.00 p.m. and he was brought to hospital at about



12.10 a.m. on 16.07.2025. Thereafter, the doctors declared that the husband of the 3rd respondent/defacto complainant was dead at about 05.00 a.m. due to non-responding of treatment.

3. Heard, the learned counsel appearing on either side and perused, all the materials placed before this Court.

4. It is seen that pursuant to the registration of the earlier FIR, the present FIR has been registered in crime No.384 of 2025 for the offences punishable under Sections 191(2), 127(2), 296(b), 115(2), 351(3) of BNS, 2023 and Sections 3(1)(r), 3(1)(s), 3(1)(g) & 3(2)(va) of SC and ST(Prevention of Atrocities) Act, 1989. In pursuant to the registration of that FIR, both the appellants surrendered themselves before the trial court on 07.08.2025. Even according to the case of the prosecution, on 03.07.2025, the deceased was wrongly confined by the appellants. Thereafter, they lodged complaint on 05.07.2025 for theft of certain goods from the factory, for which they were issued CSR. Thereafter, on 08.07.2025, the deceased attempted to commit suicide. However, he was saved and once again, he attempted to commit suicide on 15.07.2025 by consuming poison. Therefore, there is no evidence to



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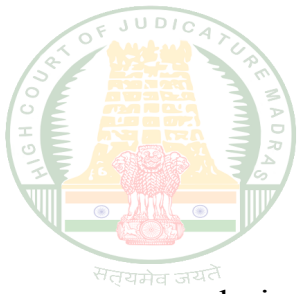
show that the appellants committed the offence of abetment soon before the death of the deceased to commit suicide.

5. In view of the above facts and circumstances and also the period of incarceration by the appellants, this court is inclined to grant bail to the appellants. Accordingly, both the criminal appeals are allowed and the impugned orders dated 18.08.2025 passed in Crl.MP.Nos.104 & 103 of 2025 in crime No.384 of 2025 on the file of the learned Special Court for Trial of Cases under SC/ST(PoA) Act, Tiruppur, are hereby set aside. Each of the appellants is ordered to be released on bail on 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 learned Special Court for Trial of Cases under SC/ST(PoA) Act, Tiruppur and on further conditions that:

[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 appellants shall report before the second respondent police daily at 10.30 a.m. for a period of 15 days and thereafter report before the second respondent police as and when required for interrogation.

[c] the appellants shall not abscond either during investigation or trial.



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[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 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 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 any of the accused persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

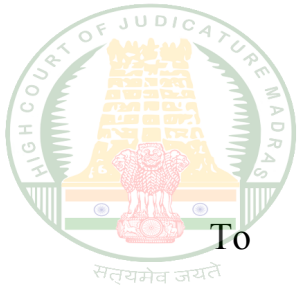
28.08.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order  
lok

Note: Issue order copy on 28.08.2025



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To

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1. The learned Special Court for Trial of Cases under SC/ST(PoA) Act,  
Tiruppur
2. The Assistant Commissioner of Police,  
Anupparpalayam Range,  
Tiruppur City,
3. The Inspector of Police,  
Anupparpalayam Range,  
Tiruppur City,
4. District Jail,  
Tiruppur, Tiruppur District
5. Women District Jail,  
Nallur, Tiruppur District
6. The Public Prosecutor,  
Madras High Court.



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**G.K.ILANTHIRAIYAN, J.**  
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