



CRL A. No. 1396 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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Maruthavinayagam, M/A-39 years,  
S/o.Sudalaimuthu,  
No.2/189, South Street,  
Chennalpatti,  
Muruppanadukovilpattu,  
Vallanad, Srivaikundam,  
Thoothukkudi District.

... Appellant / Petitioner

Versus

State rep., by

1.The Assistant Commissioner of Police (south),  
Vadavali Police Station,  
Coimbatore.

2.The Inspector of Police,  
Vadavalli Police Station,  
Coimbatore District.  
(Crime No.358 of 2025)

3.S.Sivagnanam,  
S/o.Sivalingam,  
No.1, Raja Street,  
GKS Avenue Lakshmi Nagar,  
Pompanampalayam,  
Coimbatore District.

... Respondents / Respondents



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PRAYER: Criminal Appeal filed under Section 14-A of S.C. S.T. Act (Prevention of Atrocities Amendment Act 2015 read with 415 (2) of BNSS) to set aside the order passed in bail petition in C.M.P.No.208 of 2025 dated 26.08.2025, on the file of the Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore and enlarge the appellant on bail in Crime No.358 of 2025, on the file of the 2<sup>nd</sup> respondent Police.

For Appellant : Mr. W. Camyles Gandhi.

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

Mr. Deepan Uday for R3.

## **J U D G M E N T**

This Criminal Appeal has been filed to set aside the order passed in bail petition in C.M.P.No.208 of 2025 dated 26.08.2025, on the file of the Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore

2.The learned counsel for the appellant submits that the appellant and one Ravichandran who is running a dog farm are friends and the petitioner used to visit the said dog farm and got acquainted with the defacto complainant, who was working in the said farm as dog trainer. It is submitted by the learned counsel for the appellant that when the



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petitioner visited the farm, there was a wordy quarrel and he has been falsely implicated in this case as if he had humiliated the defacto complainant by saying his caste name. Hence, the learned counsel for the appellant sought for setting aside the order dated 26.08.2025 and granting bail.

3. Notice has been served on the third respondent / defacto complainant and the learned counsel for the defacto complainant submits that the petitioner is a police constable by profession and has threatened the defacto complainant through whatsapp and therefore, he raised objection stating that if he is released on bail, he may tamper the evidence.

4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that since the petitioner is a police constable by profession, he may tamper the evidence and opposed for grant of bail.



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5. Heard the parties and perused the materials available on record.

6. It is seen from the records the petitioner is in prison from 08.08.2025 and the petitioner has not got any previous case pending against him and he was working as a Police constable. Considering the submissions made on either side and that the investigation has been completed; the submission that the petitioner will not have any communication with the defacto complainant; and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail executing a bond for a sum of Rs.10,000/- (Rupees Fifteen Thousand only) with two sureties out of which one surety must be a blood surety, each for a like sum to the satisfaction of the Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore.

[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;



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[b] the petitioner shall report before the 2<sup>nd</sup> respondent Police everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner 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 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]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

16.09.2025

ay

To

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

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*ay*

2.The Assistant Commissioner of Police (south),  
Vadavali Police Station,  
Coimbatore.

3.The Inspector of Police,  
Vadavalli Police Station,  
Coimbatore District.

4.The Special Court for Trial of Cases  
under SC/ST (POA) Act,  
Coimbatore.

5.The Central Prison,  
Coimbatore.

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