



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1596 of 2025

1. Kothandapani @ Durai
S/o.Shanmugam, No.80, Perumal Kovil
Street, Vanur Taluk, Pudhur, Nallavur,
Villupuram, Tamilnadu-604 154.

Appellant(s)

Vs

1.The Deputy Superintendent of Police,
VOC Street, Villpuram, Villpuram
District-605 602.

2.The State Rep by,
The Station House Officer,
Kiliyanoor Police Station, Villpuram
District-605 602. Cr.No.286/2025.

3.Anjalatchi
W/o.Murugan, No.163, Mariyamman
Koil Street, Kiliyanur Thanamaniyan
Village, Vanur TK, Villupuram District.

Respondent(s)

**PRAYER**

Criminal Appeal has been filed under Section 14A(2) of SC/ST (POA), praying to set aside the order dated 03.10.2025 passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram, in Crl.M.P.No.340 of 2025, enlarge the appellant on bail in connection with Crime NO.286 of 2025 on the file of the Kiliyanoor Police Station, pending investigation.

For Appellant(s): G.Mohana Krishnan

For Respondent(s): Mr.V.Meganathan
Government Advocate (Crl.Side)
for R1 and R2
Court Notice Service Awaited
For R3

JUDGMENT

This Criminal Appeal has been filed as against the order made in Crl.M.P.No.340 of 2025 dated 30.10.2025 passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/St (POA) Act, Villupuram.

2. Heard the learned counsel appearing for the appellant and the learned Government Advocate for the respondents 1 and 2 and perused the materials placed before this Court.



3. The appellant is an accused in Crime No.286 of 2025 on the file of the second respondent, registered for the offences punishable under Sections 296(b) of the BNS, 2023 r/w Sections 3(1) (s) and 3(1)(w)(ii) of the SC and ST (POA) Act, 1989.

4. The learned counsel for the appellant submitted that the appellant has been falsely implicated in this case, alleging that he attempted to take a photograph of the victim girl while she was taking bath on the date of the alleged occurrence. It was further submitted that there was already a communal dispute between the appellant and certain other persons in the locality, and in order to falsely implicate him, the present complaint has been lodged. The appellant is, however, ready to abide by any conditions imposed by this Hon'ble Court.

5. The learned Government Advocate (Crl.Side) raised objections, stating that the appellant had attempted to take a photograph of the victim girl, and



when her son questioned him regarding the same, the appellant allegedly threatened him. It was further submitted that the investigation has been completed and the final report has been filed before the competent court. The prosecution also submitted that the appellant has no previous criminal antecedents.

6. Upon considering the submissions made on both sides, and since the investigation has been completed, the final report filed, and considering that the appellant has been in custody from 08.09.2025, this Court is inclined to grant bail to the appellant. Accordingly, the order made in Crl.M.P.No.340 of 2025 dated 03.10.2025 passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram, is hereby set aside. This Criminal Appeal stands allowed.

7. The appellant is ordered to be released on bail on his 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 Sessions Judge, Special



Court for Exclusive Trial of Cases registered under SC/ST (POA) Act,

Villupuram, and on further conditions that:

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[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 appellant shall report before the respondent police **on every Saturday at 10.30 a.m., for a period of three months.**

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

[d] the appellant 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 appellant in accordance with law as if the conditions have been imposed and the appellant 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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(g) The appellant shall not to have any communication, either directly or indirectly, with the victim girl or her family members.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rri



To

1. The Deputy Superintendent of Police,
VOC Street, Villupuram, Villupuram
District-605 602.

2. The State Rep by,
The Station House Officer,
Kiliyanoor Police Station, Villupuram
District-605 602. Cr.No.286/2025.

3. The Sessions Judge, Special Court for
Exclusive Trial of Cases registered
under SC/ST (POA) Act, Villupuram.

4. The Superintendent,
Sub-Jail, Villupuram.

5. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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