



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1601 of 2025

1. Johnson Prabakaran
S/o.Ponsingh Kovil Raj, 232-B,
Marutham Nagar, Koliyanur,
Villupuram District.

Appellant(s)

Vs

1. The Deputy Superintendent of Police,
Villupuram, Villupuram District.

2.The State Rep by, The Station House
Officer,
Vikravandi Police Station, Villupuram
District. Cr.No.468/2025.

3.Sarala
W/o.Kumaran, New Colony,
Avuduyarpattu Village, Vikaravandi
Taluk, Villupuram District.

Respondent(s)

PRAYER

Criminal Appeal filed under Section 14(A) of the SC and ST Act, prays to set aside the order dated 24.09.2025 made in Crl.M.P.No.312/2025 passed by the learned Sessions Judge, Special Court for Trial of Cases Under SC/ST (POA) Act at Villupuram and to allow the above the Criminal Appeal.

For Appellant(s): C.Prabakaran

For Respondent(s): Mr.V.Meganathan
Government Advocate (Crl.Side)
For R1 And R2
Mr.K.Krishnan For R3



ORDER

The petitioner has filed this Appeal to set aside the order dated 24.09.2025 made in Crl.M.P.No.312/2025 passed by the learned Sessions Judge, Special Court for Trial of Cases Under SC/ST (POA) Act at Villupuram.

2. The case of the prosecution is that the de facto complainant, namely Sarala, wife of Kumaran, lodged a complaint with the respondent police alleging that on 19.08.2025 at about 10.00 a.m., her husband went to plough their land using a tractor through one Arunprasath. The appellant owns land adjacent to the said property and is also running a dog breeding farm. It is alleged that the appellant prevented her husband from ploughing the land, which led to a wordy quarrel. Further, at about 2.45 p.m., the brother-in-law of the de facto complainant informed her that her husband Kumaran and the appellant, along with his wife, had entered into a heated verbal altercation, during which they allegedly humiliated him by uttering his community name. Subsequently, it is alleged that the appellant abused Kumaran and assaulted him with a steel Jally Karandi on his head, as a result of which he sustained a severe head injury and died on the spot. It is further alleged that the wife of the appellant also abused the deceased. Hence, the complaint.

3. The learned counsel for the appellant submitted that the appellant filed Crl.M.P.No.312 of 2025 before the Special Court seeking enlargement on bail,



however, the same was dismissed by the Court on 24.09.2025 without considering the appellant's case in its proper perspective, necessitating the present appeal.

4. The learned counsel for the appellant challenges the findings of the trial Court by submitting the following grounds, that the impugned order is contrary to law, the weight of evidence, and the probabilities of the case. The learned Judge failed to appreciate that the appellant is undergoing incarceration for no fault of his own and that there is no previous case pending against him.

5. The trial Court ought to have considered that the appellant is the adjacent landowner of the deceased and is running a dog breeding farm by incurring huge expenses for maintaining various breeds of dogs, which were frightened by the sound of the tractor while ploughing. When the appellant requested the deceased not to plough the land near the farm for the time being, the deceased refused, abused the appellant with dire consequences, and assaulted him, leading to a heated exchange and scuffle, during which the deceased fell down, sustained head injuries, and died. The appellant has not committed the offence alleged by the prosecution. The trial Court further failed to note that the investigation is almost complete and the charge sheet is likely to be filed shortly, and the other reasons assigned by the Court below are unsound and unsustainable.



6. The appellant, aged about 36 years, is the sole breadwinner of his family, and due to his incarceration for about 40 days, his family has been put to severe hardship and the livestock, namely the dogs in the breeding farm, are left without proper feeding. Therefore, the appellant deserves to be enlarged on bail.

7. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the appellant colluded with the other accused and committed murder of the defacto complainant's husband. He also submitted that the investigation is not yet completed. Hence, he opposed grant of bail to the petitioner.

8. Considering the facts and circumstance of the case and the submissions made by both counsels and also considering the gravity of offences committed by the petitioner, this Court is of the view that the investigation is not yet completed, if he is released on bail, he may abscond, tamper with the evidence, and hamper the witnesses. Therefore, this Court is not inclined to grant bail to the petitioner and accordingly confirms the findings of the trial Court.

9. Accordingly, this Criminal Appeal is dismissed.

18-11-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
rri



To

1.The Deputy Superintendent of Police,
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2.The State Rep by,
The Station House Officer,
Vikravandi Police Station, Villupuram
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3.Sarala
W/o.Kumaran, New Colony,
Avuduyarpattu Village, Vikaravandi
Taluk, Villupuram District.

4.The Sessions Judge, Special Court for
Trial of Cases Under SC/ST (POA) Act
at Villupuram.

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



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T.V.THAMILSELVI J.
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