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CRL A No. 1619 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1619 of 2025

Dinesh Kandasamy

Appellant(s)

Vs

1.The State Represented by
The Assistant Commissioner of Police,
Coimbatore District.

2.The Inspector of Police,
M-5, Vadavalli Police Station,
Coimbatore.
(Crime No.21 of 2024)

3. Kalavathy

Respondent(s)

PRAYER: Criminal Appeal has been filed under Section 14-A(2) of SC/ST Act, prayed to set aside the order dated 28.07.2025 made in Crl.M.P.No.177 of 2025, before the Learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore, and to allow the above the Criminal appeal by enlarging the appellant on bail.

For Appellant(s): Mr.S.N.Arunkumar

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

For R3 Ms.Kalavathy



JUDGMENT

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This Criminal Appeal has filed this Criminal appeal to set aside the order dated 28.07.2025 made in CrI.M.P.No.177 of 2025, before the Learned Sessions Judge, Special Court Trial of Cases under SC/ST (POA) Act, Coimbatore, and to allow the above Criminal appeal by enlarging the appellant on bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) appearing for the respondents and perused the materials placed before this Court. Notice has been served. The mother of the deceased (R3) has appeared.

3. The learned counsel for the petitioner submitted that, it is a case of jumped bail. The petitioner is presently in custody from 22.02.2025. The learned counsel for the petitioner submitted that the petitioner is suffering from mental disorder and, due to his mental condition, was unable to follow the proceedings and appear before the Court.

4. Considering the above facts and circumstances, this Court is inclined to grant bail to the appellant. Accordingly, the order made in CrI.M.P.No.177 of 2025 dated 28.07.2025 on the file of the Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore, is hereby set aside. This



Criminal Appeal stands allowed.

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5. 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) each with two sureties, out of which one surety must be a blood related surety, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore and on further conditions that:

[a] The petitioner is directed to deposit a sum of Rs. 25,000/- to the credit of Spl.S.C.No.14 of 2024, on the file of Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore.

(b) 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.

[c] the appellant shall report before the respondent police on every Sunday at 10.30 a.m., for a period of four months.

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

[e] the appellant shall not tamper with evidence or witness either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

(h) the petitioner shall not have any communication with the family of the deceased.

(i) The defacto complainant is permitted to withdraw the amount deposited by the petitioner, towards the mental agony caused by him.

(j) In addition, the petitioner is directed to pay a sum of Rs. 2,000/- towards travel expenses to R3.

26-09-2025

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



To

1. The State Represented by
The Assistant Commissioner of Police,
Coimbatore District.

2. The Inspector of Police,
M-5, Vadavalli Police Station,
Coimbatore.
(Crime No.21 of 2024)

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

4. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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