



Crl.A.No.1813 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.A.No.1813 of 2025

1. Selvam

2. SriAjay

... Appellants /Accused

Vs.

1.State rep. by The Deputy Superintendent of Police,
Vettavalam Police Station, Thiruvannamalai District.
Crime No.153 of 2025

2. State rep. by The Inspector of Police,
Vettavalam Police Station, Thiruvannamalai District.

3.Madhan

... Respondents

Prayer: Criminal Appeal filed under Section 14-A(2) of Cr.P.C. praying to call for the records in Crl.M.P.No.118 of 2025 on the file of the learned Sessions Judge, Additional Charge of Special Court under SC/ST Act, Thiruvannamalai, by his Order dated 10.11.2025, set aside the Order of dismissal of bail petition and allow this Criminal Appeal and consequently, grant bail to the appellants.



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For Appellant : Mr.R.Bhagawat Krishna
For Respondents 1 & 2 : Mr.S.Raja Kumar
Additional Public Prosecutor – R1 & R2

For 3rd Respondent : Mr.B.Devakumar

J U D G M E N T

This appeal has been filed challenging the Order dismissing the petitioners' bail application filed in Crl.M.P.No.118 of 2025 by the Sessions Judge, Thiruvannamalai.

2. The appellants are the accused of the offences in Crime No.153 of 2025 for the offences under sections 126[2], 296[b], 115[2], 118[1], 351[3] of BNS and sections 3[1][r], 3[1][s] and 3[2][va] of SC and ST Act. The allegation in the First Information Report is that on account of prior enmity, the appellants along with others had attacked the defacto complainant with knife and leg and caused grievous injuries to the defacto complainant besides humiliated him on account of his caste.



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3. The trial Court had dismissed the appellants bail application by an Order dated 10.11.2025 on the ground that the investigation is still pending.

4. The learned counsel appearing for the appellants would submit that the appellants have no bad antecedents; that the appellants are in custody from 13.10.2025; that their further incarceration is not required for the purpose of investigation; and prayed for bail.

5. The learned Additional Public Prosecutor per contra submitted that the defacto complainant had suffered 6 injuries; and that he had been discharged from the hospital.

6. Though notice had been served on the third respondent/defacto complainant and the learned counsel entered appearance, there was no representation for the third respondent on 05.12.2025. Even today, there is no representation for the third respondent.



7. The appellants are in custody from 13.10.2025 and the injured has been discharged from the hospital.

8. Considering the nature of allegations against the appellants and the period of their incarceration, this Court is of the view that further custody of the appellants is not required for the purpose of investigation. Hence, this court is inclined to grant bail to the appellants.

8. Accordingly, the appellants are ordered to be released on bail subject to the following conditions:

(i) The appellants shall execute 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, Additional Charge of Special Court under SC/ST Act, Thiruvannamalai;

(ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Judge may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(iii) the respondent police is directed to ensure that there is no threat to the life and safety of the de-facto complainant. In the event of any threat, appropriate steps to be taken.

(iv) the appellants shall not commit any offences of similar nature;



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(v)the appellants shall not abscond either during investigation or trial;

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(vi)the appellants shall not tamper with evidence or witness either during investigation or trial;

(vii) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/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 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]***;

(viii)if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

9. In view of the above, the impugned order dated 10.11.2025 made in Crl.MP No.118 of 2025 by the learned Sessions Judge, Thiruvannamalai Sessions Judge, Additional Charge of Special Court under SC/ST Act, Thiruvannamalai, is set aside and the Criminal Appeal is allowed.

08.12.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No

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Note : Issue order copy by .12.2025

Upload the order copy forthwith.

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To

- 1.The Sessions Judge
Additional Charge of Special Court
under SC/ST Act, Thiruvannamalai
- 2.The Deputy Superintendent of Police,
Vettavalam Police Station, Thiruvannamalai District.
Crime No.153 of 2025
3. The Inspector of Police,
Vettavalam Police Station, Thiruvannamalai District.
- 4.The Superintendent,
Central Prison, Vellore.
- 5.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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