

Crl.A.(MD)No.227 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A.(MD)No.227 of 2025

Raja

... Appellant

versus

1. The Tamil Nadu State Represented by
The Deputy Superintendent of Police
Pattukkottai Sub Division,
Thanjavur District.

2. The Tamil Nadu State Represented by
The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

3. S.Marimuthu

... Respondents

Appeal filed under Section 14A(2) of SC/ST Act, 1989, to set aside the order dated 13.02.2025 made in Crl.M.P.No.105 of 2025 on the file of the learned 1st Additional District and Sessions Judge (PCR), Thanjavur in connection with Crime No.332 of 2024 on the file of the 2nd respondent Police and enlarge the appellant on bail.

For Appellant : M/s.A.Banumathy
For R1 and R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)



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For R3 : Mr.S.Rajamanickam

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JUDGMENT

The appellant/accused was arrested on 18.01.2025 in connection with the case in Crime No.332 of 2024 on the file of the respondent Police for the offence under Sections 296(b), 351(2) of BNS r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (POA) Act. He filed a bail petition before the trial Court in CrI.M.P.No.105 of 2025 and the same was dismissed by the trial Court on 13.02.2025. Challenging the same, the appellant has filed this appeal.

2. The learned counsel appearing for the appellant submits that the appellant/accused borrowed a sum of Rs.4,000/- from the defacto complainant. In spite of repeated demands, the appellant has not repaid the amount. Therefore, the defacto complaint went to the appellant's house and informed about the borrowal of amount to the appellant's daughter and demanded money from her, for which the appellant and his wife went to the defacto complainant's house on 09.12.2024 and abused him by saying his caste name and threatened him with dire consequences. Hence, the



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complaint.

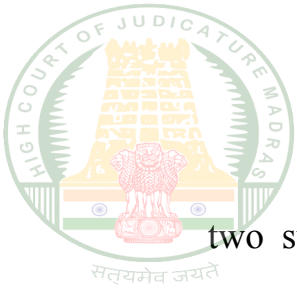
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3. The learned counsel appearing for the appellant further submits that the appellant is languishing in jail for the past 34 days and he is not having any previous case. Therefore, he seeks to grant bail to the appellant.

4. Heard the learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2 and the learned counsel appearing for the 3rd respondent.

5. Considering the period of incarceration and also considering the fact that the appellant is not having any previous case, this Court is inclined to grant bail to the appellant.

6. Accordingly, the Criminal Appeal is allowed and the order dated 13.02.2025 made in Crl.M.P.No.105 of 2025 on the file of the learned 1st Additional District and Sessions Judge (PCR), Thanjavur, is hereby set aside. The appellant is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with



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two sureties, each for a like sum to the satisfaction of the I Additional

District and Sessions Judge (PCR), Thanjavur and on further condition that:

[a] the appellant shall report before the respondent Police as and when required for interrogation;

[b] The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

[c] On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

28.02.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The I Additional District and Sessions Judge (PCR),
Thanjavur

2. The Deputy Superintendent of Police
Pattukkottai Sub Division,
Thanjavur District.



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3. The Tamil Nadu State Represented by
The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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