

Crl.A(MD)No.334 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED :01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A(MD)No.334 of 2025

C.Selvakumar

... Appellant

Vs

1.State of Tamil Nadu
Represented by
The Assistant Commissioner of police,
Anna Nagar Sub Division,
Madurai District.

2.The Sub Inspector of Police,
E3, Anna Nagar Police Station,
Madurai – 20.

3.Devi

4.Rajendran

... Respondents

PRAYER: Appeal filed under Section 14(A)(2) of SC/ST (POA) Act, to cancel the bail granted to the respondents 3 & 4/accused 1 & 2 in Crime No.111 of 2025, by the III Additional District and Sessions Court (PCR), Madurai in Crl.M.P.No.31 of 2025, dated 04.03.2025.



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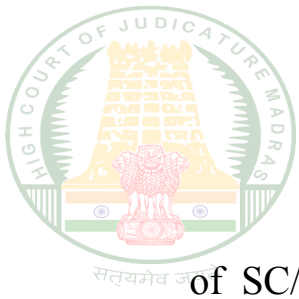
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For Appellant : Mr.K.Jaganathan
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate

J U D G M E N T

This Criminal Appeal is filed under Section 14 (A)(2) of SC/ST (POA) Act, as against the order passed by the III Additional District and Sessions Court PCR, Madurai in Crl.MP No.31 of 2025 in Crime No.111 of 2025, dated 04.03.2025.

2.This appellant is the defacto complainant in Crime No.111 of 2025 on the file of the Anna Nagar police station. He lodged a complaint as against the respondents 3 & 4, before the Anna Nagar police station that they have assaulted him and also abused him by degrading his community, based on which, a case was registered in Crime No.111 of 2025, for the offences under Sections 296(b),351(2) of BNSS r/w 3(1)(r), 3(1)(s) of SC/ST Act. The respondents 3 and 4 have moved an application in Cr.MP.No.31 of 2025, before the III Additional District and Sessions Court (PCR), Madurai, for bail. The trial Court, without issuing a notice as mandated under Section 15A(3)



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of SC/ST(POA) Act, has erroneously granted bail in favour of the respondents 3 and 4 and therefore, the appellant/ Defacto complainant has preferred this appeal that the order passed by the trial Court is against law and the mandatory provisions under Section 15A(3) of SC/ST(POA) Act.

3.The learned Government Advocate appearing for the respondents 1 & 2, on instructions, submits that this appellant is an advocate by profession and this complaint itself has been lodged as a counter complaint to Crime No.112 of 2025. According to him, the first respondent has conducted an investigation on both the complaints and closed the same as "mistake of fact". RCS notice to that effect was also served on the respective parties on 24.03.2025.

4.This Court considered the rival submissions made and also perused the materials placed on record.



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5.This appeal is filed as against the order of bail granted to the respondents herein, by the trial Court in Crl.M.P.No.31 of 2025, dated 04.03.2025. Considering the subsequent development that the case itself has been closed as a mistake of fact, this Court is not inclined to entertain this Criminal Appeal.

6.Accordingly, this Criminal Appeal is dismissed with liberty to the appellant to challenge the referred charge sheet, if he is having any grievance, in accordance with law.

01.04.2025

Index : Yes/No
Internet : Yes/No
vrn

To

- 1.The Assistant Commissioner of police,
Anna Nagar Sub Division,
Madurai District.
- 2.The Sub Inspector of Police,
E3, Anna Nagar Police Station,
Madurai – 20.



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B.PUGALENDHI, J.,

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Judgment made in
Crl.A(MD)No.334 of 2025

01.04.2025