



CrI.A(MD)No.508 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.A(MD)No.508 of 2025

Vikram

... Appellant

Vs

1.The Deputy Superintendent of Police,
Alangulam,
Tenkasi District.

2.State of Tamil Nadu
Represented by
The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
Crime No.40/2022.

3.Balamurugan

... Respondents

PRAYER: Appeal filed under Section 14-A(2) of Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, to set aside the order passed in Cr.MP.No.1015 of 2025, dated 17.04.2025, on the file of the Principal Sessions Judge, Tenkasi and



CrI.A(MD)No.508 of 2025

allow the Criminal Appeal and enlarge the appellant on bail in Crime No.103 of 2025, on the file of the second respondent police.

For Appellant : Mr.N.Vignesh
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate
R3 : No appearance

J U D G M E N T

The appellant/A3 was arrested on 29.03.2025 in connection with the case in Cr.No.103 of 2025 that he along with two other accused assaulted the defacto complainant. The said case was registered for the offence under Sections 296(b), 131, 118(1), 351(3) of BNS, 2023 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST(POA) Act. The appellant has filed a petition in Cr.M.P.No.1015 of 2025, seeking bail, before the Principal Sessions Court, Tenkasi, and the same was dismissed by the trial Court, by its order dated 17.04.2025. As against the same, the appellant has preferred this appeal.

2. The learned counsel appearing for the appellant submitted



CrI.A(MD)No.508 of 2025

WEB COPY

that in fact, the appellant is the victim and the defacto complainant/3rd respondent herein is the aggressor. There is a case (Crime No.103 of 2025) and counter case (Crime No.104 of 2025). On the complaint of the first accused in Crime No.103 of 2025, a case was registered as against the defacto complainant in Cr.No.104 of 2025 on the file of the Inspector of Police, Alwarkuruchi Police Station. The respondent Police, instead of finding out, who is the aggressor, has mechanically registered the case based on the complaint of the defacto complainant and arrested the appellant. The learned counsel further submits that the defacto complainant/3rd respondent herein was arrested in Cr.No. 104 of 2025 and he is now in Central Prison, Palayamkottai.

3.In view of the submission made by the learned counsel for the appellant that the defacto complainant is in Prison, this Court by its order, dated 28.04.2025, directed the Registry to serve notice and inform about the listing of this appeal before this Court on 30.04.2025 to the defacto complainant, who is in Prison at Palayamkottai.



CrI.A(MD)No.508 of 2025

WEB COPY

4.Today, when this Criminal Appeal is taken up for hearing,

the respondent police has filed a report with an endorsement of the Superintendent, Sub Jail, Ambasamuthiram with an information that the filing of Criminal Appeal in CrI.A(MD) No.508 of 2024 by the appellant before this Court and listing of the same before this Court today was duly informed to the defacto complainant. The defacto complainant has mentioned that he is not having any objection to grant bail to this appellant.

5.In view of the above, this Court is inclined to allow this Criminal Appeal. Accordingly, this Criminal Appeal is allowed and the order passed by the learned Principal Sessions Judge, Tenkasi in Cr.MP.No.1015 of 2025, dated 17.04.2025 is hereby set aside. The appellant is ordered to be released on bail on the following conditions:-

i) The appellant shall execute a bond for a sum



WEB COPY



CrI.A(MD)No.508 of 2025

of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Principal Sessions Judge, Tenkasi

ii) The appellant and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The appellant shall stay at Kovilpatti and report before the Inspector of Police, Kovilpatti West Police Station daily at 10.30 a.m., until further orders.

iv) The appellant shall file an affidavit of undertaking before the respondent police as well as before the trial Court that he will not involve in any offence in future.

v) The appellant shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The appellant shall co-operate for the investigation.



CrI.A(MD)No.508 of 2025

WEB COPY

vi) On violation of any of the above conditions by the appellant, the respondent police shall move an application for cancellation of the bail.

30.04.2025

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

vrn

To

1.The Principal Sessions Judge, Tenkasi

2.The Deputy Superintendent of Police,
Alangulam,
Tenkasi District.

2.The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.

4.The Inspector of Polcie,
Kovilpatti West Police Station,
Kovilpatti.

5.The Superintendent,
Central Prison,
Palayamkottai.



WEB COPY



Crl.A(MD)No.508 of 2025

B.PUGALENDHI, J.,

vrn

Judgment made in
Crl.A(MD)No.508 of 2025

30.04.2025