

Crl. A.(MD)Nos. 628, 629 and 640 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 26.06.2025

CORAM

THE HONOURABLE DR. JUSTICE R.N.MANJULA

Crl. A.(MD)Nos. 628, 629 and 640 of 2025

Veerapandi

... Appellant in Crl.A(MD) No.628 of 2025

1. Vinith
2. Vallarasu
3. Mukesh
4. Dhanabal
5. Arun
6. Sathiyamoorthy
7. Priyadharsan
8. Praveen
9. Ramajeyam
10. Manisankar
11. Vigneshwaran
12. Aravind
13. Arjunan

... Appellants in Crl.A(MD) No.629 of 2025



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1. Madhan

2. Santhosh

3. Selvakumar

4. Sathish @ Sathiskumar

5. Kalaivendhan

6. Sathish @ Sathish Kumar

7. Govindaraj

... Appellants in Crl.A(MD) No.640 of 2025

Vs

1. The Deputy Superintendent Of Police,
Alangudi, Pudukkottai, Alangudi,
Pudukkottai District.

2. State of Tamilnadu Rep by
Inspector of Police, Alangudi,
Vadakadu Police Station,
Alangudi Taluk,
Pudukkottai District.
(Crime No. 52 of 2025).

3. Manoj

... Respondents in all appeals

Common Prayer : This Criminal Appeal is filed under Section 14A(2) of SC/ST (PoA) Act to set aside the orders, dated 30.05.2025 made in Cr.M.P.Nos.113, 114 and 115 of 2025 respectively, on the file of the learned Special Sessions Judge (FAC), Special Court for Trial of SC/ST Act Cases, Pudukkottai and enlarge the appellants on bail.



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For Appellants : Mr.K.Balassundharam

Senior Counsel for Mr.K.C.Maniyarasu

For R1 & R2 : Mr.K.Gnanasekaran
Government Advocate (Criminal Side)

For R3 : Mr.A.Raja

COMMON JUDGMENT

These Criminal Appeals have been filed challenging the orders passed by the learned Special Sessions Judge (FAC), Special Court for Trial of SC/ST Act Cases, Pudukottai made in Cr.M.P.Nos.112 to 114 of 2025, dated 30.05.2025.

2. The appellants are A1 to A21, who were arrested and remanded to judicial custody for the past 52 days on the allegation that the appellants and others have committed the offences punishable under Sections 109, 115(2), 118(1), 126(2), 191(2), 191(3), 326(g), 351(3) of BNS, 2023 r/w 3(1)(r), 3(1)(s), 3(2)(iii), 3(2)(iv) of SC/ST (PoA) Act 1989 r/w 3 of TNPPDL Act.

3. The case of the prosecution is that due to civil dispute between the complainant parties and the accused pending before the District Munsif cum Judicial Magistrate Court, Alangulam. On 05.05.2025, the accused



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persons came with deadly weapons at about 09.00 p.m., and A1 attacked the defacto complainant/3rd respondent by kicking him while he was riding a bike with two other persons. The other accused, who accompanied the first accused had attacked them with knife and wooden rod and threatened them that they should not be left alone and inflicted an injury over his neck. When the defacto complainant and two others ran into their street, the accused party, who belong to Muthiraiyar Community came together and created a riot with the people belonging to the defacto complainant (Scheduled Caste Community) and they burnt a hut and threatened them that they would do them away.

4. The learned Senior Counsel appearing for the appellants submitted that it is a case and case in counter and the appellants have also given a counter complaint against the 3rd respondent party and that is registered in Cr.No.53 of 2025.

5. It is submitted that the 3rd respondent party, who are accused in the counter case, have been released on bail on conditions and now the conditions have also been relaxed.



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6.It is further submitted that the appellants are ready and willing to furnish sureties and comply with the conditions imposed by the Court and that the investigation is almost completed.

7.The learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2 submitted that the accused have committed serious criminal acts, in which, 15 persons had suffered injuries and two persons suffered grievous injuries and all were admitted in the hospital and discharged. It is a communal riot between the 3rd respondent's community and the appellants' community. In this regard, a counter case has also been registered. The investigation reveals that due to unlawful act of the accused, 7 houses were damaged, including one hut, which was completely burnt and vehicles were also damaged and burnt. In view of that, penal sections were also altered subsequently. It is further submitted that the police are carrying out police picketing in order to curtail any untoward law and order issue.

8.A Public Interest Litigation petition is said to have been filed by a third party in WP(MD) No.14236 of 2025 to arrest all the accused involved in this case and to conduct proper investigation and award compensation.



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9.The learned counsel for the 3rd respondent submitted that though a counter case has been registered against the 3rd respondent party, including this case, three cases have been registered against the appellants. Moreover, in the counter case, the 3rd respondent party have been released on bail. He further submitted that there is a threat in the village. If the accused are released on bail, they will intensify the communal issue. He further submitted that in the occurrence, properties have been damaged and many persons were attacked.

10.As the learned trial Judge had observed that notice has not been served on the 3rd respondent in compliance with Section 15A of SC/ST (PoA) Act, 1989, these appeals ought to be remanded to the trial Judge to hear the 3rd respondent and then to pass orders on the bail applications.

11.It is learnt from the orders of the learned trial Judge that the bail applications have been dismissed in view of non-compliance of Section 15A of SC/ST (PoA) Act, 1989 and now the same is rectified by furnishing notice to the 3rd respondent and the 3rd respondent has now appeared through counsel, who has made his submission. So the mandate under Section 15A of SC/ST (PoA) Act, 1989 has been complied in substance and opportunity for the 3rd respondent to make his objection has also been given and availed.



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12. Having heard all sides exhaustively, it is not essential to remand the matter back to the Special Court to consider the same issue of entitlement of bail for the appellants.

13. The 3rd respondent apprehended that there is still threat in the village and if the appellants are released on bail, it would cause law and order issue. As per the submission of the learned Government Advocate (Crl.Side), police picketing is being carried out in order to curtail any law and order issue. As per the direction given in WP(MD) No.14236 of 2025, compensation has also been given to the tune of Rs.8 lakhs to the affected persons.

14. It is further learnt that all the injured persons have been discharged from the hospital. The accused are in custody for nearly 52 days. The 3rd respondent and others, who are arrayed as accused in the counter case given by the appellants party have already been released on bail and the conditions imposed on them have also been relaxed.

15. The origin of the occurrence is not any communal issue but a pending civil dispute. Though the appellants belong to a different community, they are not communal leaders.



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16. Taking into consideration of all the submissions and situation, I feel that the appellants can be released on bail, provided, some stringent conditions are imposed. Since tension is said to be prevailing in the village, even if the appellants are released on bail, they should be imposed with a condition to stay somewhere away from the local place where the occurrence had taken place.

17. Accordingly, these Criminal Appeals are allowed by setting aside the orders, dated 30.05.2025 in Cr.M.P.Nos.113, 114 and 115 of 2025 on the file of the learned Special Sessions Judge (FAC), Special Court for Trial of SC/ST Act Cases, Pudukottai. The appellants are ordered to be released on bail on them executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned *Special Sessions Judge (FAC), Special Court for Trial of SC/ST Act Cases, Pudukottai*, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Sessions Judge may obtain a copy of their valid identity card to ensure their identity.



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[b]the appellants shall stay at Coimbatore District
and appear and sign before the Peelamedu Police Station
daily at 10.00 a.m., until further orders.

[c]the appellants shall not tamper with evidence or witness either during investigation or trial and they shall not involve in similar type of offences during the bail period.

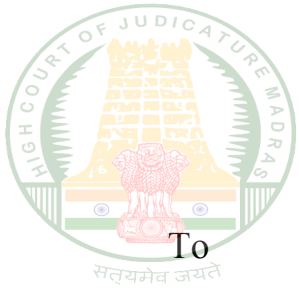
[d]the appellants shall co-operate with the investigation.

[e]On breach of any of the aforesaid conditions, the learned Sessions Judge/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 Sessions Judge/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

26.06.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
PNM



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- To
- 1.The Special Sessions Judge (FAC),
Special Court for Trial of SC/ST Act Cases, Pudukottai
 2. The Deputy Superintendent Of Police,
Alangudi, Pudukkottai, Alangudi,
Pudukottai District.
 - 3.The Jail Superintendent,
District Jail, Pudukottai.
 4. The Inspector of Police, Alangudi,
Vadakadu Police Station,
Alangudi Taluk, Pudukottai District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.N.MANJULA, J.

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COMMON JUDGMENT IN
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