

CRL.A(MD).No. 924 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 11.09.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.A(MD).No. 924 of 2025

Gowtham

: Appellant/A1

Vs.

1.The Deputy Superintendent of Police,
Nilakottai Sub Division, Vilampatti,
Dindigul District.

2.The Inspector of Police,
Vilampatti, Dindigu District.
Crime No.130 of 2025.

3.Chelladurai

: Respondents

Prayer : This Criminal Appeal is filed under Section 14-A(2) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Act 2015 as amended by Act 1 of 2016, to call for the records pertaining to the order passed in Cr.M.P.No.295 of 2025 on the file of the Special Court for Exclusive Trial of Case under SC/ST (PoA) Act Dindigul, dated 20.08.2025 and set aside the same as illegal and enlarge the appellant on bail.

For Appellant

: Mr.S.Ramsundarvijayraj



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For Respondents : Mr.K.Gnanasekaran,
Government Advocate (Criminal Side)
for R1 and R2.

: Third respondent
Party-in-person

JUDGMENT

This Criminal Appeal has been filed seeking orders to set aside the order passed in CrI.M.P.No.295 of 2025, dated 20.08.2025, on the file of the Special Court for Exclusive Trial of Case under SC/ST (PoA) Act Dindigul, dismissing the petition for bail.

2. The case of the prosecution is that the defacto complainant is engaged in the business of herding pigs. There was some previous enmity between the appellant and the defacto complainant. On 25.07.2025 at around 03.00 pm, while the defacto complainant providing water to the pigs, the appellant along with other accused persons entered into the defacto complainant's premises and abused him in filthy language. When the same was questioned by the defacto complainant, the accused persons attacked him with aruval and caused injuries. A case in Crime No.130 of 2025 was registered by the respondent Police against the appellant and



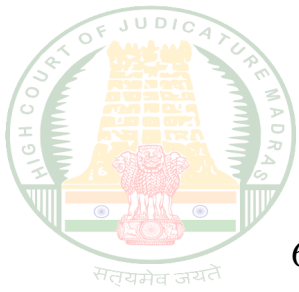
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other accused persons, under Sections 296(b), 118(1) of BNS and Section 3(1) (r), 3(1)(s) and 3(2) (va) of SC/ST(POA)Act. The appellant was in judicial custody from 26.07.2025. The appellant filed a petition for bail in Crl.M.P.No.295 of 2025 and the same was dismissed by the learned Sessions Judge, Dindigul, on 20.08.2025. Challenging the same, the appellant has preferred this Criminal appeal.

3. The learned counsel for the appellant submitted that the appellant is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the appellant is in judicial custody from 26.07.2025 and he is not having any previous case.

4. The third respondent/defacto complainant appeared in person and represented that the appellant should not disturb him further.

5. The learned Government Advocate (Criminal Side) appearing for the State would submit that the injured was discharged from the hospital and that the petitioner is not having any previous case.

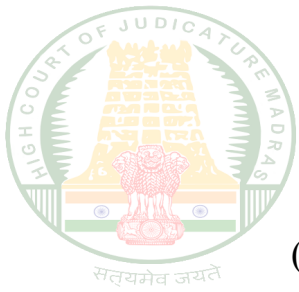


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6. Considering the above facts and circumstances of the case and also the facts that there existed previous enmity between the parties; that the appellant is not having any previous case and that the injured was discharged from the hospital, this Court is inclined to allow the Criminal Appeal by setting aside the order, dated 20.08.2025 made in Crl.M.P. No.295 of 2025 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Case under SC/ST (PoA) Act Dindigul.

7. Accordingly, the Criminal Appeal is allowed and the order, dated 20.08.2025 made in Crl.M.P.No.295 of 2025 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Case under SC/ST (PoA) Act Dindigul, is 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 two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Exclusive Trial of Case under SC/ST (PoA) Act Dindigul, 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, Special Court for Exclusive Trial of Case under SC/ST (PoA) Act Dindigul, may obtain a copy of their valid identity card to ensure their identity.



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(b) the appellant is directed to appear before the trial Court on all working days at 10.30 am, until further orders.

(c) the appellant shall not tamper with evidence or witness either during investigation or trial.

(d) the appellant shall co-operate with the investigation.

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

11.09.2025

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K.MURALI SHANKAR,J.

das

To

- 1.The Sessions Judge, Special Court for
Exclusive Trial of Case under SC/ST (PoA) Act
Dindigul.
- 2.The Deputy Superintendent of Police,
Nilakottai Sub Division, Vilampatti,
Dindigul District.
- 3.The Inspector of Police,
Vilampatti, Dindigu District.
- 4.The Superintendent, District Jail,
Dindigul.
- 5.The Section Officer,
Criminal Section (Records),
Madurai Bench of Madras High Court,
Madurai.

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