

CRL.A(MD).No. 975 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 25.09.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.A(MD).No. 975 of 2025

Vasanthakumar

: Appellant/A3

Vs.

1.The Deputy Superintendent of Police,
Peraiyur Circle, Madurai District.

2.State rep.by the Sub-Inspector of Police,
V.Chathrapatti Police Station,
Madurai District.
Crime No.22 of 2025.

3.M.Palpandi

: 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, to set aside the order of III Additional District and Sessions Court (PCR) Act, Madurai in CrI.M.P.No.235 of 2025, dated 12.09.2025 and enlarge the appellant on bail in Crime No.22 of 2025 on the file of the first respondent.

For Appellant : Mr.S.Lingarasu

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



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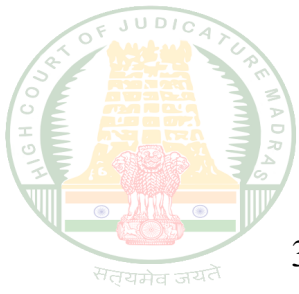
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: Third respondent
Party-in-person

JUDGMENT

This Criminal Appeal has been filed seeking orders to set aside the order passed in Crl.M.P.No.235 of 2025, dated 12.09.2025, on the file of the III Additional District and Sessions Court (PCR) Act, Madurai, dismissing the petition for bail.

2. The case of the prosecution is that due to previous enmity, on 28.08.2025 at around 07.00 pm, the appellant along with other accused persons abused the defacto complainant in filthy language and attacked him with bottle and caused injuries. On the basis of the complaint, a case in Crime No.22 of 2025 was registered by the respondent Police against the appellant and other accused persons, under Sections 296(b), 115(2), 118(1) of BNS and Sections 3(1) (r), 3(1)(s) and 3(2) (va) of SC/ST(POA)Act. The appellant is in judicial custody from 29.08.2025. The appellant filed a petition for bail in Crl.M.P.No.235 of 2025 and the same was dismissed by the learned III Additional District and Sessions Judge (PCR) Madurai, on 12.09.2025. Challenging the same, the appellant has preferred this Criminal appeal.



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3. The learned counsel for the appellant would submit that the appellant is innocent and he has not committed any offence as alleged by the prosecution; that the appellant is in judicial custody from 29.08.2025 and the co-accused/A1 and A2 were already released on bail by the trial Court. He would further submit that the injured has already been discharged from the hospital and the appellant is not having any previous case.

4. The third respondent/defacto complainant appeared in person and raised objections to grant bail to the appellant

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.

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; that the co-accused were released on bail and that the injured was discharged from the hospital, this Court is inclined to allow the Criminal Appeal by setting aside the order,



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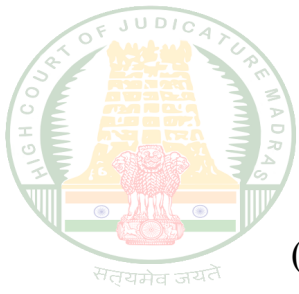
dated 12.09.2025 made in Crl.M.P.No.235 of 2025 on the file of the learned III Additional District and Sessions Judge (PCR), Madurai.

7. Accordingly, the Criminal Appeal is allowed and the order, dated 12.09.2025 made in Crl.M.P.No.235 of 2025 on the file of the III Additional District and Sessions Court (PCR) Act, Madurai, 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 III Additional District and Sessions Judge (PCR), Madurai, and on further conditions that:

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned III Additional District and Sessions Judge (PCR), Madurai, may obtain a copy of their valid identity card to ensure their identity.

(b) the appellant shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, Trichy daily at 10.30 am, until further orders.

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



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

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(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.

25.09.2025

das

To

- 1.The III Additional District and Sessions Judge
(PCR) , Madurai.
- 2.The Deputy Superintendent of Police,
Peraiyur Circle, Madurai District.
- 3.State rep.by the Sub-Inspector of Police,
V.Chathrapatti Police Station,
Madurai District.



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K.MURALI SHANKAR,J.

das

4.The Superintendent of Prison,
Sub Jail, Thirumangalam, Madurai.

5.The Section Officer,
Criminal Section (Records),
Madurai Bench of Madras High Court,
Madurai.

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25.09.2025