

Crl.A.(MD)No.1025 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.A.(MD)No.1025 of 2025

V.Sakthi Subramanian

...Appellant/
Petitioner/
Accused No.1

Vs.

1.The State of Tamil Nadu, rep. by
The Deputy Superintendent of Police,
Tenkasi,
Tenkasi District.

... 1st Respondent/
Investigating
Officer

2.The State of Tamil Nadu, rep. by
Inspector of Police,
Kadayam Police Station,
Tenkasi District.
(Crime No.344 of 2025)

...2nd Respondent/
Complainant

3.Jeyakumar

...3rd Respondent/
Defacto
Complainant



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PRAYER: Criminal Appeal filed under Section 14-A(2) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, praying to call for the entire records pertaining to the impugned order dated 19.09.2025 passed in Cr.M.P.No.2412 of 2025 on the file of the learned Principal Session Judge Tenkasi and to set aside the same and consequently to release the appellant on bail in connection with the FIR in Crime No.344 of 2025 on the file of the second respondent police.

For Appellant : Mr.M.Arjun Varman

For Respondents : Mr.K.Gnanasekaran
Government Advocate (Crl. Side) for R1 & R2

R3-Party-in-person

JUDGMENT

This Criminal Appeal has been filed seeking orders to set aside the order passed in Crl.M.P.No.2412 of 2025, dated 19.09.2025, on the file of the Principal Sessions Court, Tenkasi, dismissing the petition for bail.

2. The case of the prosecution is that on 14.09.2025, due to political dispute, the appellant / first accused and the second accused went to the house of the third respondent / defacto complainant and abused him in filthy language by using his caste name and also threatened him with dire consequences. On the basis of the complaint, a



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case in Crime No.344 of 2025 was registered by the second respondent police against the appellant and one Manthiramoorthi, under Sections 296(b), 131 and 351(3) BNS and Sections 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989. The appellant is in judicial custody from 16.09.2025. The appellant filed a petition for bail in Crl.M.P.No. 2412 of 2025 and the same was dismissed by the learned Principal Sessions Judge, Tenkasi, on 19.09.2025. Challenging the same, the appellant has preferred this Criminal appeal.

3. The learned counsel appearing for the appellant would submit that the appellant is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the appellant is a practising advocate and also a member of the DMK political party, that the third respondent has not sustained any injury and that the appellant is in judicial custody from 16.09.2025.

4. The third respondent / defacto complainant appeared in person and raised serious objections to grant bail to the appellant citing concerns about threats to his life.



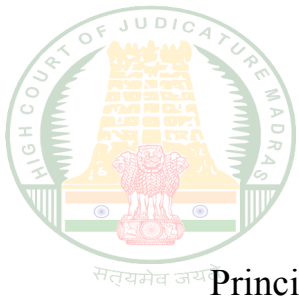
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5. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the appellant is having two previous cases, in which, one case is pending for trial before the learned Judicial Magistrate, Tenkasi for the offences under Sections 294(b), 324 and 506(1) IPC and another case in Crime No.531 of 2020 for the offence under Section 304A IPC. He would further submit that the second accused is still absconding.

6. The learned Sessions Judge, while dismissing the bail application, has stated that one previous case for the offence under Section 420 IPC is pending against the appellant. But the learned Government Advocate (Criminal Side) would submit that the case was already referred and no such case is pending as of now.

7. Considering the above facts and circumstances of the case and also the facts that there existed previous enmity between the parties and that the third respondent has not sustained any injury, this Court is inclined to allow the Criminal Appeal by setting aside the order, dated 19.09.2025 made in Crl.M.P.No.2412 of 2025 on the file of the learned



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Principal Sessions Judge, Tenkasi.

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8. Accordingly, the Criminal Appeal is allowed and the order, dated 19.09.2025 made in Crl.M.P.No.2412 of 2025 on the file of the Principal Sessions Judge, Tenkasi, 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 Judicial Magistrate, Alangulam, and on further conditions that:

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate, Alangulam, may obtain a copy of their valid identity card to ensure their identity;

(b) the appellant shall stay at Chengalpattu and report before the Inspector of Police, Chengalpattu Town Police Station, Chengalpattu daily at 10.30 a.m., 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



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*Sessions Judge / 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 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]**.*

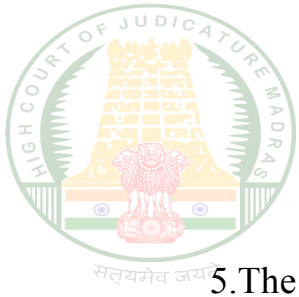
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.09.2025

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

To

- 1.The Principal Sessions Judge,
Tenkasi.
- 2.The Judicial Magistrate, Alangulam.
- 3.The Deputy Superintendent of Police,
Tenkasi,
Tenkasi District
- 4.The Inspector of Police,
Kadayam Police Station,
Tenkasi District.



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5.The Inspector of Police,
Chengalpattu Town Police Station,
Chengalpattu.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai District.



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K.MURALI SHANKAR, J.

csn

Judgment made in
Crl.A.(MD)No.1025 of 2025

Dated : 26.09.2025