

CRL.A(MD).No. 1051 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 13.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.A(MD).No. 1051 of 2025

Illayaraja @ Ilaiyaraja

: Appellant/A1

Vs.

1.The State rep.by the Deputy Superintendent of Police,
Aranthangi Sub Division, Pudukkottai District.

2.The Inspector of Police,
Gandharvakottai Police Station,
Pudukkottai District.
Crime No.213 of 2025.

3.Veeramani

: 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 passed by the Special Court for Trial of SC/ST Act Cases, Pudukkottai in CrI.M.P.No.181 of 2025, dated 22.09.2025 and enlarge the appellant on bail in Crime No.213 of 2025 on the file of the second respondent.

For Appellant : Mr.M.Pitchai Muthu

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



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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 CrI.M.P.No.181 of 2025, dated 22.09.2025, on the file of the Special Court for Trial of SC/ST Act Cases, Pudukkottai, dismissing the petition for bail.

2. The case of the prosecution is that on 08.09.2025, there was a wordy quarrel between the accused persons and the defacto complainant, due to which, the appellant along with other accused persons abused the defacto complainant in filthy language by using his caste name and also threatened him with dire consequences. On the basis of the complaint, a case in Crime No.213 of 2025 was registered by the respondent Police against the appellant and other accused persons for the offences under Sections 296(b), 115(2), 118(1), 351(2) of BNS and Sections 3(1)(r) and 3(2)(va) of SC/ST(POA)Act. The appellant is in judicial custody from 11.09.2025. The appellant filed a petition for bail in CrI.M.P.No.181 of 2025 and the same was dismissed by the learned Special Sessions Judge,



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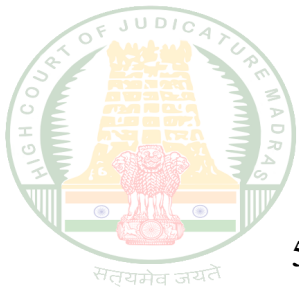
Special Court for Trial of SC/ST Act Cases, Pudukkottai, on 22.09.2025.

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Challenging the same, the appellant has preferred this Criminal appeal.

3. The learned counsel appearing for the appellant would submit that the appellant is innocent and he has not committed any offence as alleged by the prosecution and that the appellant is in judicial custody from 11.09.2025. He would further submit that the injured has already been discharged from the hospital and the appellant is not having any previous case. He would further submit that the counter case has been registered in Crime No.214 of 2025, on 11.09.2025 against the third respondent and others for the offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

4. The learned counsel for the appellant would further submit that the third respondent has already obtained bail; that the second accused in the present case, who is the wife of the first accused, after getting directions from this Court, has already surrendered and was released on bail.



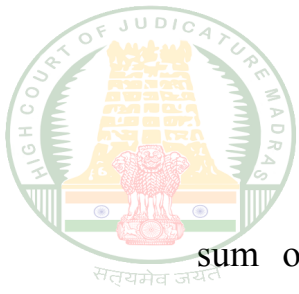
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5. In response to the notice, the third respondent/defacto complainant appeared in person and would submit that they are having objections as the accused abused him in filthy language by using his caste name.

6. The learned Government Advocate (Criminal Side) appearing for the State would submit that the injured was treated as out-patient and that the petitioner is not having any previous case.

7. 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 treated as out patient, this Court is inclined to allow the Criminal Appeal by setting aside the order, dated 22.09.2025 made in CrI.M.P.No.181 of 2025 on the file of the Special Court for Trial of SC/ST Act Cases, Pudukkottai.

8. Accordingly, the Criminal Appeal is allowed and the order, dated 22.09.2025 made in CrI.M.P.No.181 of 2025 on the file of the Special Court for Trial of SC/ST Act Cases, Pudukkottai, is set aside. The appellant is ordered to be released on bail on his executing a bond for a



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sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the Special Court for Trial of SC/ST Act Cases, Pudukkottai, and on further conditions that:

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Special Sessions Judge, Special Court for Trial of SC/ST Act Cases, Pudukkottai, may obtain a copy of their valid identity card to ensure their identity.

(b) the appellant shall stay at Madurai and report before the Inspector of Police, K.Pudur Police Station, Madurai daily 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]**.



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

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das

To

- 1.The Special Sessions Judge, Special Court for Trial of SC/ST Act Cases, Pudukkottai.
- 2.The Deputy Superintendent of Police, Aranthangi Sub Division, Pudukkottai District.
- 3.The Inspector of Police, Gandharvakottai Police Station, Pudukkottai District.
- 4.The Inspector of Police, Melur Police Station, Madurai.
- 5.The Superintendent of Prison, Sub Jail, Pudukkottai.
- 6.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- 7.The Section Officer, Criminal Section (Records), Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J.

das

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