



Crl.A.(MD)No.1241 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 24.11.2025

Pronounced on : 28.11.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.A.(MD)No.1241 of 2025

Vijaybaskar

... Appellant/
Accused

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangudi Taluk,
Pudukkottai District.

2.The State of Tamil Nadu
The Inspector of Police,
Regunathapuram Police Station,
Pudukkottai District.
(Crime No.50 of 2025)

... Respondents/
Complainant

3.Sivalingam

...Respondent/
Defacto
Complainant



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Prayer : This Criminal Appeal filed under Section 14-A(2) of SC/ST Act, to set aside the order dated 05.11.2025 made in Crl.M.P.No.230 of 2025 on the file of Special Sessions Judge, Special Court for Trial of cases registered under SC/ST (POA) Act, 1989, Pudukkottai, and enlarge the appellant on bail.

For Appellant : Mr.S.Gurumoorthy

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

R3 - party-in-person

JUDGMENT

The Criminal Appeal is directed against the order passed in Crl.M.P.No.230 of 2025 dated 05.11.2025 on the file of the Special Court for Trial of SC/ST Act cases, Pudukkottai, dismissing the petition for bail filed under Section 483 B.N.S.S.

2. The case of the prosecution is that there existed money transaction dispute between the appellant / sole accused and the third respondent / defacto complainant, due to which, on 26.07.2025, there arose a wordy quarrel between them and at that time, the appellant had abused the third respondent in filthy language using caste name and pushed him down and thereby caused head injury.



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3. On the basis of the complaint lodged by the third respondent, FIR came to be registered in Crime No.50 of 2025 on 28.07.2025 on the file of the second respondent police against the appellant under Sections 296(b) and 115(2) BNS and Sections 3(l)(r), 3(l)(s) and 3(2)(va) of SC/ST (POA) Act, 1989. The appellant is in judicial custody from 28.10.2025. The appellant filed a petition for bail in Crl.M.P.No.230 of 2025 and the same was dismissed by the learned Special Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Pudukkottai, on 05.11.2025. Challenging the same, the appellant has preferred this present Criminal appeal.

4. It is not in dispute that the respondent police, after completing the investigation, filed a final report against the appellant and the case was taken on file in Spl.S.C.No.51 of 2025 and is pending on the file of the Special Court for Trial of SC/ST (POA) Act cases, Pudukkottai.

5. The learned counsel appearing for the appellant would submit that the appellant is innocent and is no way connected with the alleged occurrence and he has been falsely implicated in the above case. He would further submit that the appellant was arrested on 28.10.2025 and is in



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judicial custody till now and that the appellant is not having any bad antecedents.

6. The first respondent police filed a counter affidavit raising objections.

7. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the appellant had caused head injury to the third respondent by pushing him, that the third respondent was treated at Government Hospital for three days, that the injury was certified as simple injury and that if the appellant is released on bail, he will threaten the third respondent and other witnesses. He would admit that the appellant is not having any previous cases

8. In response to the notice received, the third respondent appeared in person before this Court and would submit that he received a head injury and that if the appellant is released on bail, there is potential threat to his life.



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9. Considering the above facts and circumstances, nature of the charges levelled against the appellant and also the facts that the appellant is in judicial custody from 28.10.2025 and that the appellant had no bad antecedents, this Court is inclined to allow the Criminal Appeal by setting aside the order, dated 05.11.2025 made in Crl.M.P.No.230 of 2025 on the file of the Special Court for Trial of SC/ST Act cases, Pudukkottai.

10. Accordingly, the Criminal Appeal is allowed and the impugned order, dated 05.11.2025 made in Crl.M.P.No.230 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 sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Special Sessions Judge, Special Court for Trial of cases registered under SC/ST Act 1989, Pudukkottai, 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;

(b) the appellant shall stay at Thanjavur and report before the Inspector of Police, Thanjavur Taluk Police



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Station, Thanjavur District daily at 10.30 a.m., until further orders and visit Pudukkottai only for attending the hearings in the above sessions case;

(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 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 269 BNS.

28.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
csm



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WEB COPY **To**

- 1.The Special Sessions Judge,
Special Court for Trial of SC/ST Act cases,
Pudukkottai.
- 2.The Superintendent,
District Jail,
Pudukkottai.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangudi Taluk,
Pudukkottai District.
- 4.The Inspector of Police,
Regunathapuram Police Station,
Pudukkottai District.
- 5.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Pre-Delivery Judgment made in
Crl.A.(MD)No.1241 of 2025

Dated : 28.11.2025