



WEB COPY

Crl.O.P.No.925 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.925 of 2026

K.Siva Kumar

... Petitioner

Vs.

1.The State Rep by
The Deputy Superintendent of Police,
Office of DSP, Udhgamandalam
The Nilgiris.

2.The State Rep by
Inspector of Police,
Upper Coonoor Police Station,
Coonoor, The Nilgiris.
(Crime No. 34 of 2025)

3.S.Gurumoorthy

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the
event of arrest in Crime No.34 of 2025 on the file of the respondent police.

For Petitioner : Mr.Thanga Vadhana Balakrishnan

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)
for R1 and R2

: Mr.Rajamani for R3



ORDER

The petitioner apprehends arrest for the alleged offence under Section 107 of BNS, 2023 and Section 3(2)(v) of the SC & ST (Prevention of Atrocities) Act, 1989 in Crime No.34 of 2025 on the file of the second respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is running gym and he had suggested gym powder/protein supplement for the purpose of body building. It is alleged that the son of the defacto complainant consumed the same, which resulted in allergies reactions. Unable to bear the pain, the son of the defacto complainant is said to have committed suicide by setting himself on fire. Hence, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that there is no allegation of caste based discrimination and no ingredients attracting the provisions of the SC/ST (Prevention of Atrocities) Act are made out in the complaint. Therefore, according to the learned counsel for the petitioner, the bar for granting anticipatory bail under the said Act is not applicable and the present petition for anticipatory bail is maintainable. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervener submitted that the petitioner is not a qualified person to suggest taking any nutritional supplements and only upon the petitioner's instruction, the son of the defacto



complainant had consumed the protein supplement, which caused allergic symptoms. Unable to bear the pain and suffering caused due to the same, the son of the defacto complainant had committed suicide. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the investigation is completed and the charge sheet has also been filed. The case has been taken on file in Spl.SC.No.4 of 2026 before the Special Court. Hence, he opposed to grant anticipatory bail to the petitioner.

6. I have given my anxious consideration to either side submissions.

7. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that though the offence under Section 3(2)(v) of the SC & ST (Prevention of Atrocities) Act, 1989, has been invoked, there are no ingredients made out either in the complaint or in the FIR or in the further statements recorded by the police. This fact was also not seriously disputed by the learned counsel appearing for the intervener.

8. At this juncture, it is also relevant to note that the petitioner had already been granted interim anticipatory bail on 12.01.2026. It is further seen that the investigation has been completed and the charge sheet has also been filed and the case has been taken on file in Spl.S.C.No.4 of 2026 before the Special Court. In such a view of the position, and also taking into



consideration the fact that interim anticipatory bail was already granted by this Court, and at this length of time, the question of custodial interrogation does not arise.

9. Accordingly, the interim anticipatory bail granted to the petitioner herein, vide order dated 12.01.2026 in Crl.O.P.No.925 of 2026 is made absolute and all the conditions imposed on the petitioner herein in the aforesaid order are made intact.

10. In the result, this Criminal Original Petition stands allowed.

09.03.2026

DRL

To

1.The Sessions Court of the Nilgiris District at Udhagamandalam

2.The Deputy Superintendent of Police,
Office of DSP, Udhgamandalam
The Nilgiris.

3.The Inspector of Police,
Upper Coonoor Police Station,
Coonoor, The Nilgiris.

4.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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