



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL A No. 191 of 2026

Nanthakumar

..Appellant(s)

Vs

1. The Superintendent of Police,
Superintendent office Puducherry,
Puducherry.

2. The Inspector of Police,
CBCID Police Station,
Puducherry.
Cr.No.30 of 2025.

3. V.Mariyammal

..Respondent(s)

Prayer: This Criminal Appeal is filed under Section 14A(2) of Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, to set aside the order dated 03.02.2026 made in CrI.MP.No.188 of 2026 on the file of the before the Honble II Additional Sessions and District Judge at Puducherry u/s.281,125,296(b),103(1) BNS and 3(1)(r), 3(1)(s), 3(2)(v) and 3(2)(vii) of SC/ST (Prevention of Atrocities) Act r/w 3(5) BNS 2023, the prosecution has stated that the investigation is now conducted by the Superintendent of Police (CBCID), Puducherry and to enlarge the Appellant on bail in Cr.No.30 of 2025 on the file of the respondent police.

For Appellant(s): Mr.A.Anandharaj

For Respondent(s): Mr.M.V.Ramachandra Murthy, Public Prosecutor
(Puducherry) assisted by Mr.M.Tamilmani for R1
& R2;
Mr.D.Anbarasan for R3



JUDGMENT

WEB COPY This Criminal Appeal has been filed seeking to set aside the order dated 03.02.2026 made in Crl.M.P.No. 188 of 2026 on the file of the II Additional District and Sessions Judge at Puducherry, u/s.281,125,296(b),103(1) BNS and 3(1)(r), 3(1)(s), 3(2)(v) and 3(2)(vii) of SC/ST (Prevention of Atrocities) Act r/w 3(5) BNS 2023, which dismissed the application for bail, and consequently to enlarge the appellant on bail in connection with Crime No. 30 of 2025.

2.The case of the prosecution is based on a complaint lodged by the de facto complainant, V. Mariyammal, wife of the deceased, on 06.12.2025. It is alleged that while the de facto complainant and her husband were returning home on their two-wheeler, three individuals, viz. Pradeep, Veeramani and Vasanthakumar, belonging to Iveli village, drove their vehicle in a rash and negligent manner and dashed against the de facto complainant's husband, causing injuries to him. When the deceased questioned their conduct, the accused allegedly abused him by his caste name and assaulted the couple indiscriminately with their hands and subsequently with stones, resulting in the husband sustaining further injuries. Upon the de facto complainant raising an alarm, two persons from her village came to their rescue and took her husband to the nearby Government Primary Health Centre at Madagadipet. It is further alleged that the accused, along with others, went to the hospital and prevented



the doctors from providing medical treatment to the victim. The victim was later referred to JIPMER Hospital, Puducherry, in a serious condition, where he succumbed to his injuries after three days. Consequently, the case was altered to include Section 302 of the IPC. The appellant was arrested on 10.12.2025, and his subsequent bail application before the Sessions Court was dismissed on 03.02.2026.

3.The learned counsel for the appellant submits that the appellant is not the person who assaulted the victim and his name does not find a place in the F.I.R. regarding the primary assault. The only allegation against the appellant is that he, along with others, prevented the doctors at the Government Primary Health Centre at Madagadipet from treating the victim. It is contended that the appellant has been in judicial custody since 10.12.2025 and despite the lapse of 90 days, the respondent Police has failed to file the final report, thereby entitling the appellant to statutory bail.

4.Conversely, the learned Public Prosecutor (Puducherry) and Mr. D. Anbarasan, learned counsel for the 3rd respondent, vehemently oppose the grant of bail. They submit that the accused intercepted and brutally assaulted the victim, and that the appellant actively joined the other accused in preventing the victim from receiving life-saving medical aid. They further contend that since some of the accused are police personnel and the investigation into this grave



offence is still pending, the appellant should not be enlarged on bail at this stage.

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5. Heard both sides and perused the materials available on record, including the F.I.R.

6. It is observed that the three named persons, Pradeep, Veeramani, and Vasanthakumar, are the individuals alleged to have brutally assaulted the victim with hands and stones. While the name of the appellant does not appear in the F.I.R. for the assault, the specific allegation against him is that he prevented the hospital authorities at Madagadipet from providing medical aid to the victim.

7. Taking into consideration that the primary overt acts of violence are attributed only to others and noting that the investigation has not been completed within the statutory period, and final report is yet to be filed, this Court is inclined to grant bail to the petitioner.

8. In view of the above, this Court is inclined to allow the appeal. Accordingly, the appellant is granted bail, and the impugned order dated 03.02.2026 passed in Crl.M.P. No. 188 of 2026 on the file of the II Additional District and Sessions Court at Puducherry, dismissing the bail application of the appellant, is hereby set aside.



9. Accordingly, the appellant is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge at Puducherry, and on further conditions that:

- (i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.*
- (ii) the appellant shall appear before the respondent police everyday at 10:30 a.m. until further orders.*

12-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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A.D.JAGADISH CHANDIRA, J.

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To

1. The Superintendent of Police,
Superintendent office Puducherry,
Puducherry.
2. The Inspector of Police,
CBCID Police Station,
Puducherry.
Cr.No.30 of 2025.
3. Learned II Additional Sessions and District Judge
Puducherry.
4. Public Prosecutor
Puducherry

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