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Crl. A No.1463 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**Crl.A No. 1463 of 2025
and Crl.M.P.Nos.17430 and 17432 of 2025**

A.Mani
W/o.Arun Prasath,
D.No.1/1, Alukusamiyar Kovil Street,
Vettaikaranpudhur,
Anamalai Taluk.

...Appellant(s)

Vs.

1. The State rep by,
The Deputy Superintendent of Police,
Anaimalai Police Station,
Valparai Division.

2. The Inspector of Police,
Anaimalai Police Station,
Coimbatore.

3. Mariyammal
W/o.Muthupandi,
D.No.5/75, Mariyamman Koil Street,
Narikkalpathi, Anaimalai (T.K)
Coimbatore District.

....Respondent(s)

PRAYER:- Criminal Appeal is filed under Section 14A(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, to set aside the order dated 31.07.2025 in Crl.M.P.No.67 of 2025 in Spl.SC No.38 of 2024 passed by the Special Court for Trial of Cases under SC/ST (POA) Act,



Coimbatore.

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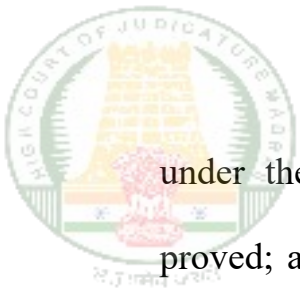
For Appellant(s): Mr.J.Aravind
For R1 & R2 : Mr.S.Balaji
Government Advocate (Crl. Side)
For R3 : Mr.S.Balamuki

JUDGMENT

The revision challenges the dismissal of the discharge petition filed by the appellant, who is facing prosecution for the offences under Section 296 (b), 74, 115(2), 118(1), 351(2) BNS r/w Sections 3(1)(r), 3(1)(s), 3(1)(e), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, (*hereinafter referred to as SC/St (PoA) Act*) in Crime No.524 of 2024.

2. The case of the prosecution is that the victim is a daily wage worker working in the farm of the appellant's husband that on 20.08.2024, while the defacto complainant was working in the farm, at about 10.00 a.m., the appellant came to the farm, humiliated her on account of her caste and assaulted her with a knife and caused injuries on her face and forearm.

3. The appellant sought discharge before the trial Court mainly on the ground that the victim does not belonged to the Scheduled Caste community; that she belongs to the Hindu Devendrakula Vellalar community, which comes



under the Backward Class category; that the alleged assault has not been proved; and that the knife said to have been recovered has not been produced for forensic examination.

4. The trial Court dismissed the said petition on ground that the statement of the Tahsildar would reveal that the victim belonged to Schedule Caste community and since the prosecution has made out a *prima facie* case, there is no ground for discharge.

5. The learned counsel for the appellant pointed out to the certificate issued by the Tahsildar and would submit that the victim does not belong to a Schedule Caste and therefore, the impugned prosecution under SC/ST (PoA) Act is misconceived; that the 3rd respondent has stated in the counter affidavit that the victim belongs to the Pallar community, which is contrary to the certificate issued by the Tahsildar; and that there are several infirmities in the investigation, inasmuch as the Investigating Officer has not sent the knife, which is said to have been used in the occurrence for forensic examination.

6. The learned Government Advocate and the learned counsel for the defacto complaint, *per contra*, relied upon the statement of the Tahsildar, which reveals that the victim belonged to a Schedule Caste community. The learned



counsel for the defacto complainant / victim would state that the word 'pallar' is a generic term and the caste Devendrakuzha Vellalar is a Sub-Caste.

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7. Therefore, this Court is of the view that the above disputed facts cannot be adjudicated in the discharge petition. That apart, any infirmity in the investigation cannot be adjudicated at this stage. Therefore, this court is of the view that there is *prima facie* evidence to frame charge against the appellant. It is open to the appellant to raise all her defences before the trial Court.

8. With the above observations, this Criminal Appeal is dismissed. Consequently, connected Criminal Miscellaneous Petitions are closed.

18-02-2026

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

To

1. The Special Court for Trial of Cases under SC/ST (POA) Act,
Coimbatore.
2. The Deputy Superintendent of Police,
Anaimalai Police Station,
Valparai Division.
3. The Inspector of Police,
Anaimalai Police Station,
Coimbatore.



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SUNDER MOHAN J.

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