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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.A.Nos. 1915 and 1916 of 2025

1. Niraipandy ...Appellant in Crl.A.No.1915 of 2025

2. NTR Ramesh @ Rameshkumar ...Appellant in Crl.A.No.1916 of 2025

Vs.

1. The State represented by,
The Deputy Superintendent of Police,
Vedaraniyam Sub-Division,
Nagapattinam District.

2. The Inspector of Police,
Kariyapattinam Police Station,
Vedaraniyam Taluk,
Nagapattinam District.

3. R.Manikandan ...Respondents in both the Appeals

PRAYER in CRL.A.No. 1915 of 2025: Criminal Appeal filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, to set aside the order dated 27.10.2025 passed by the District and Sessions Court, Nagapattinam in CMP.No.886 of 2025 by enlarging the Appellant on bail in connection with Crime No.305 of 2025 for the offences punishable under Sections 296(b) and 131 of BNS read with Sections 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities Act), 1989 on the file of the 1st respondent.

PRAYER in CRL.A.No. 1916 of 2025: Criminal Appeal filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, to set aside the order dated 27.10.2025 passed by the District and Sessions Court, Nagapattinam in CMP.No.881 of 2025 by enlarging the Appellant on bail in connection with Crime No.305 of 2025 for the offences



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punishable under sections 296(b), 131 of BNS r/w Sections 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities Act), 1989 on the file of the 1st respondent.

In Both Appeals

For Appellants : Mr.S.Senthil

For R1 and R2 : Mr.S.Balaji

Government Advocate (Crl. Side)

For R3 : Ms.T.Swathi

Legal Aid Counsel

COMMON ORDER

The above appeals have been preferred by two accused, who are arrayed as A2 and A3 in Crime No.305 of 2025, respectively, against the order of dismissal of their bail petitions. Crl.A.No.1915 of 2025 has been filed by A2 and Crl.A.No.1916 of 2025 has been filed by A3.

2. The gist of the case is that the appellants along with another accused on account of prior enmity had humiliated the defacto complainant by abusing his caste and assaulted him with hands. The trial Court dismissed the bail petitions mainly on the ground that the appellants had committed another offence after the said occurrence by pouring petrol and setting fire to the defacto complainant's bike and that the appellants are habitual offenders and if they are released on bail, they will commit similar offences.

3. The learned counsel for the appellants would submit that the cases against the appellants are false that they were registered only to detain the



appellants under the Goondas Act (Tamil Nadu Act 14 of 1982) and considering the period of incarceration and nature of allegations, the appellants may be released on bail.

4. The learned Government Advocate (Crl. Side) for the respondents 1 and 2 would submit that there are two previous cases against the appellant in Crl.A.No.1915 of 2025 and the appellant in Crl.A.No.1916 of 2025 is a history sheeter having several previous cases and that the final report has already been filed, which is taken on file in Spl.S.C.No.13 of 2025 on the file of the Principal District Court, Nagapattinam.

5. The alleged offence is said to have been taken place on 30.09.2025. The appellants were arrested in another case on 01.10.2025 and formally arrested on 10.10.2025 in this case. The detention order passed against both appellants were revoked by the Advisory Board. The appellants are in custody from 01.10.2025 and the final report has also been filed by the respondent police. Considering the period of incarceration and the fact that the further custody of the appellants is not required, this Court is inclined to set aside the impugned orders dated 27.10.2025 passed in C.M.P.No.881 and 886 of 2025 and directing to release the appellants on bail on the following conditions.

(i)the appellants shall execute a bond each for a sum of



Rs.10,000/- (Rupees Ten thousand only), with two sureties each for a like sum to the satisfaction of the learned the District and Sessions Court, Nagapattinam;

(ii)the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Judge may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(iii)the appellant in C.A.No.1915 of 2025 shall stay at Trichy and report before the Inspector of Police, Trichy Cantonment Police Station, Trichy District, everyday at 10.30 a.m., until further orders;

(iv)the appellant in C.A.No.1916 of 2025 shall stay at Salem and report before the Inspector of Police, Suramangalam Police Station, Salem District, everyday at 10.30 a.m., until further orders;

(iv)the respondent police is directed to ensure that there is no threat to the life and safety of the de-facto complainant. In the event of any threat, appropriate steps to be taken.

(v)the appellants shall not commit any offences of similar nature;

(vi)the appellants shall not abscond either during investigation or trial;

(vii)the appellants shall not tamper with evidence or witness either during investigation or trial;



(viii)on breach of any of the aforesaid conditions, the learned 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 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]*;

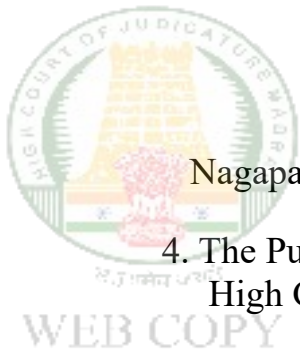
(ix)if the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

6. Accordingly, this Criminal Appeal is allowed setting aside the impugned orders passed by the learned District and Sessions Judge, Nagapattinam in C.M.P.Nos.881 and 886 of 2025, dated 27.10.2025.

27-01-2026

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

1. The District and Sessions Court, Nagapattinam.
- 2.The Deputy Superintendent of Police
Vedaraniyam Sub-Division,
Nagapattinam District.
- 3.The Inspector of Police
Kariyapattinam Police Station,
Vedaraniyam Taluk,



Nagapattinam District.

4. The Public Prosecutor,
High Court, Madras.

5. The Central Prison, Cuddalore.



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Crl.A Nos.1915 and 1916 of 2



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Crl.A.Nos. 1915 and 1916 of 2025

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