

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL A No. 811 of 2026

Ramesh
S/o Gopal,
No.256, Oyampallithanda,
Thalaiyuthu, Arattavadi,
Thiruvannamalai.

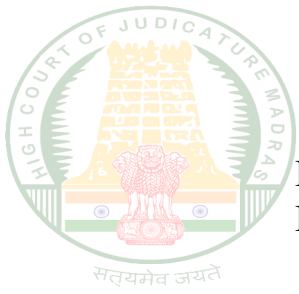
..Appellant(s)

Vs

1. State Rep By
The Deputy Superintendent of Police
Chengam Sub-Division,
Tiruvannamalai District.
2. The Inspector of Police
Chengam Police Station,
Tiruvannamalai District.
3. Arivazhagan
S/o Muthusami,
Nadu Street, Ariyakunjur Village,
Chengam Taluk, Thiruvannamalai District.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 14 A of SC/ST Act, to call for the entire records in connection with CrI.MP.No.72 of 2026 dated 27.05.2026 on the file of the Learned Court of Session Judge Special Court for SC/ST Act, Thiruvannamalai and set aside the order of dismissal in CrI.MP.No.72 of 2026 dated 27.05.2026 on the file of the learned Court of Session Judge, Special Court for SC/ST Act, Tiruvannamalai.



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For Appellant(s):
For Respondent(s):

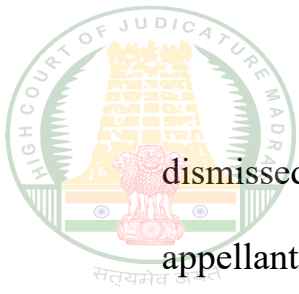
Mr.P.Muthamizhselvakumar
MS. SHARADA VIVEK
Counsel for Govt. of Tamil Nadu
CRL. SIDE) for R1 and R2

JUDGMENT

This criminal original petition has been filed to call for the entire records in connection with CrI.MP.No.72 of 2026 dated 27.05.2026 on the file of the Learned Court of Session Judge Special Court for SC/ST Act, Thiruvannamalai and set aside the same.

2.The appellant/A2 in Crime No.81 of 2026 filed a bail application before the Special Court (SC/ST Cases), Thiruvannamalai on 27.05.2026. When the case was called neither the appellant and his counsel was present. In that bail application, the third respondent/defacto complainant filed his objection stating that there is a threat to him and his family member's life and properties. Hence, the case was dismissed. Against the dismissal, the present petition filed.

3.The counsel for Government of Tamil Nadu (Crl.side) appearing for the first and second respondents submitted that in this case, earlier the petitioner approached this Court in CrI.OP.No.11672 of 2026 and this Court, by order dated 06.05.2026 directed the petitioner to surrender before the trial Court within a period 15 days and thereafter, the appellant/petitioner filed a bail petition on 27.05.2026 but not present physically. Hence, the petition was



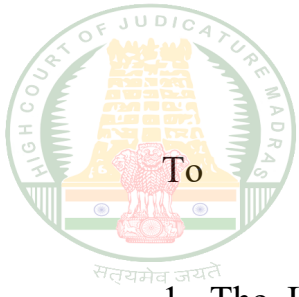
dismissed. Further, she submitted that the Pond, in which the appellant/petitioner was doing fishing, had been taken on lease by the third respondent/defacto complainant and without his permission, fishing activity was conducted and there was an altercation, abused and assault.

4.Finding that this Court earlier in Crl.OP.No.11672 of 2026 directed the appellant/petitioner to surrender before the trial Court and file a bail application and the same to be considered on the same day. The petitioner filed a bail application in Crl.M.P.No.72 of 2026 but not available at the time of hearing and considering the bail application. Hence, it was dismissed. It amounts to non prosecution and not on merits.

5.In view of the above, this Court sets aside the order passed in Crl.MP.No.72 of 2026, and directs the petitioner to file a fresh application on the same condition as per the direction given by this Court in Crl.OP.11672 of 2026 within 15 days from the date of receipt of this order.Accordingly, this criminal appeal is allowed.

08-07-2026

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



1. The Learned Court of Session Judge Special
Court for SC/ST Act, Thiruvannamalai.
2. The Deputy Superintendent of Police
Chengam Sub-Division,
Tiruvannamalai.
3. The Inspector Of Police
Chengam Police Station,
Tiruvannamalai.
4. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

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