

CRL A(MD). No.752 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 15.07.2026

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

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1. Mayandi
2. Muthupandi
3. Baskar
4. Pownraj
5. Muthumariappan
6. Mahendran

... Appellants

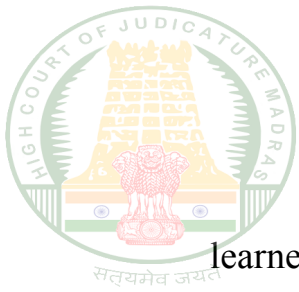
Vs.

1. The State of Tamilnadu,
Rep. by the Deputy Superintendent of Police,
Sankarankovil Sub Division,
Tenkasi District..
2. State of Tamilnadu
Rep by the Inspector of Police,
Thiruvengadam Police Station,
Tenkasi District.
(in Cr.No. 181/2026)

3. Rajagopal

... Respondents

Appeal filed under Section 14A(2) of SC/ST Act, 1989 as amended by Act 1 of 2016, seeking to call for the records relating to the order dated 22.06.2026 made in Cr.M.P.No.1902 of 2026 on the file of the



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learned Principal Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, 1989, Tenkasi, in connection with Crime No.181/2026 and set aside the same and grant bail to the appellants by allowing this criminal appeal.

For Appellants : Mr.K.Jeyamohan
for Mr.P.Muthukumar

For R1 and R2 : Mr.V.Shathurthiraja,
Government Advocate (Crl. Side)

For R3 : Mr.Rajagopal,
Party-in-person

JUDGMENT

The appellants are accused Nos.27, 16, 14, 10, 25 and 28 respectively in Cr.No.181 of 2026. The said case has been registered in connection with a dispute that arose during a temple festival, based on the complaint lodged by the 3rd respondent, against the appellants and 38 others, for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, and Sections 3(1)(r), 3(1)(s), 3(1)(za)(A) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989. The appellants have been arrested and remanded to judicial

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custody on 15.06.2026. The bail petition filed by the appellants before the trial Court in Cr.M.P.No.1902 of 2026 was rejected by order dated 22.06.2026. Challenging the same, the appellants have preferred this appeal seeking bail.

2. The learned counsel appearing for the appellants submitted that the alleged occurrence took place during the temple festival. According to the learned counsel, there has been a long-standing dispute with regard to the temple festival and it is a case and counter-case. Further, the appellants and the villagers are also victims and they have lodged a criminal complaint and the same is also pending investigation. As a counter-blast, the present case has been lodged as against the appellants.

3. The learned counsel for the appellants further submitted that the defacto complainant and his associates were the real aggressors and were responsible for the alleged occurrence. The Tahsildar, Tiruvenkadam Taluk, had convened a Peace Committee Meeting, in which, both villagers unanimously resolved that no procession to be conducted through the street situated in the appellants' village. However, on

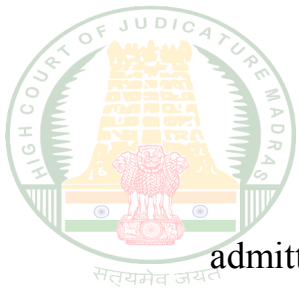


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contrary, the defacto complainant and the members of his village took the procession through the prohibited route, entered the appellants' village with case-related posters, and raised slogans. Therefore, the alleged incident had taken place.

4. The learned counsel for the appellants further submitted that the 2nd respondent Police, without conducting a proper enquiry to ascertain the real aggressors, mechanically registered the present case against the appellants and several other villagers without any material to substantiate their involvement. It was further submitted that there is no specific overt act attributed to the appellants that they have no criminal antecedents, and that they are ready to co-operate for investigation. Further, the appellants are in judicial custody for more than three months, i.e., from 15.06.2026. Therefore, the learned counsel seeks for grant of bail to the appellants.

5. The learned Government Advocate (Crl. Side) submitted that the son of the defacto complainant, aged about 10 years, suffered injuries on his shoulder due to stone pelting during the occurrence. He fairly



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admitted that the injured has been discharged from the hospital. He further submitted that the alleged occurrence took place during the temple festival and a case and counter-case have been registered. According to the prosecution, the allegations on both sides are that stones were pelted while the rival groups were proceeding in procession.

6. The 3rd respondent/defacto complainant is present before this Court and submitted that due to stone pelting, his son, aged about 10 years, suffered simple injury on his shoulder.

7. This Court considered the rival submissions made.

8. The occurrence had taken place during a temple festival. It appears that a case and counter case have been registered. This case has been registered based on the injury suffered by the defacto complainant's son and this injury is also due to stone pelting. In this case, nearly 44 persons have been added as accused and there is no specific overt act as against the appellants. Further, the co-accused have been released on bail by the Sessions Court, in Cr.M.P.No.2293 of 2026 dated 08.07.2026.



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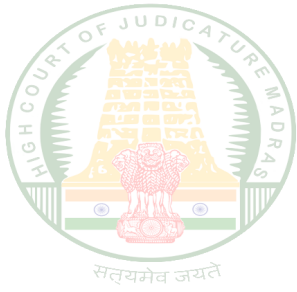
9. Considering the available materials, this Court is inclined to grant bail to the appellants. Accordingly, this Criminal Appeal is allowed and the order dated 22.06.2026 made in Cr.M.P.No.1902 of 2026 on the file of the learned Principal Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, 1989, Tenkasi, is hereby set aside. The appellants are ordered to be released on bail on the following conditions:-

i) The appellants shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the Special Court for Trial of Cases under SC/ST (PoA) Act, 1989, Tenkasi.

ii) The appellants and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address; In the event, if there is any change of address, the same shall be intimated to the respondent Police without fail.

iii) The appellants shall report before the respondent Police as and when required for interrogation.

iv) The appellants shall not misuse the liberty granted to him by indulging in any further offence.



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v) On violation of any of the above conditions by the appellants, the respondent police shall move an application for cancellation of the bail.

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Index : Yes / No.
Internet: Yes / No.
NCC : Yes / No.

To

1. The Special Court for Trial of Cases under
SC/ST (PoA) Act,
Tenkasi.
2. The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli District..
3. The Deputy Superintendent of Police,
Sankarankovil Sub Division,
Tenkasi District.
4. The Inspector of Police,
Thiruvengadam Police Station,
Tenkasi District.

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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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