

CRL A(MD). No.779 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17.07.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL A(MD)No.779 of 2026

1.Balasankar @ Saikosankar

2.Yugasuthan @ Yuva

... Appellants/
A4, A5

Vs

1. State of Tamil Nadu,
Deputy Superintendent of Police,
Soolakarai Police Station,
Virudhunagar.

2. State of Tamil Nadu,
Inspector of Police,
Soolakarai Police Station,
Virudhunagar.
Crime No.129 of 2026

3. Subbulakshmi,
Village Administrative Officer,
Meesaloor,
Virudhunagar.

... Respondents

Prayer: Appeal filed under Section 14A(2) of SC/ST (POA) Act, 1989, as amended by Act 1/2016 to call for the records and set aside the order dated 06.06.2026 in Crl.M.P.No.124 of 2026 on the file of the learned



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Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases,
Virudhunagar District at Srivilliputtur and enlarge the appellant on bail
in Crime No.129 of 2026 on the file of the second respondent Police.

For appellants : Mr.N.Mani Maran

For Respondents : Mrs.V.Moushica,
Government Advocate
for R1 and R2

JUDGMENT

The appellants are A4 and A5 in Crime No.129 of 2026, on the file of the second respondent police. They were arrested on 14.04.2026 and 29.04.2026 respectively in connection with the above case for the offences under Sections 61(2), 190, 191(1), 193(3), 103(1) and 238 of BNS and Section 3(1)(v) of SC/ST (POA) Act. They moved a bail petition before the learned Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Virudhunagar District at Srivilliputtur, in CrI.M.P.No.124 of 2026 and the same was dismissed by the trial Court on 06.06.2026. Challenging the same, the appellants have filed this Criminal Appeal.



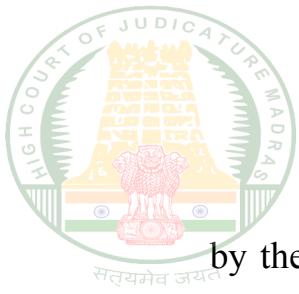
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2. The case of the prosecution is that the defacto complainant - Village Administrative Officer, Meesalur, lodged a complaint on 12.04.2026 after receiving information that an unidentified male body was found in a stream near Meesalur village.

3. The learned counsel appearing for the appellants submits that the entire case rests on circumstantial evidence and that the complaint was lodged only by the Village Administrative Officer. It is further submitted that the appellants have been arrayed as accused solely on the basis of the extra-judicial confession made by A1. Therefore, according to the learned counsel, there is no material connecting the appellants with the commission of the offence. It is further submitted that the appellants have been in judicial custody since 14.04.2026 and 29.04.2026 respectively.

4. The learned Government Advocate appearing for respondents 1 and 2, on instructions, submits that an unidentified male body was found



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by the Village Administrative Officer on 12.04.2026 and that, based on her complaint, the respondent police registered the case. During the course of investigation, the identity of the deceased was established through his Aadhaar Card. It is further submitted that A4 and A6 appeared before the Village Administrative Officer and gave an extra-judicial confession stating that they had committed the offence, and, based on the said confession, the appellants and the other accused were arrested. The investigation has been completed and the final report has also been filed. The respondent police further obtained Call Detail Records (CDR), which indicate that the appellants were present at the place of occurrence at the relevant point of time. Based on the said material, an additional charge sheet has also been filed before the Trial Court. He further submits that, apart from the present case, the first appellant/A4 is involved in three previous cases and the second appellant/A5 is involved in one previous case.

5. At this juncture, the learned counsel for the appellants submits that the cases registered against A4 are still pending and that he has not been found guilty in any of the cases till date. He also placed reliance on



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the order of this Court dated 01.07.2026 in Crl.A.(MD) No.719 of 2026,
by which bail was granted to A3.

6. This Court has considered the rival submissions and perused the materials available on record.

7. Considering that the case rests on circumstantial evidence and that this Court has already granted bail to A3 by order dated 01.07.2026 in Crl.A.(MD) No.719 of 2026, this Court is inclined to allow this criminal appeal, however, subject to stringent conditions.

8. Accordingly, this Criminal Appeal is allowed and the order passed by the learned Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Virudhunagar District at Srivilliputtur, in Crl.M.P.No. 124 of 2026, dated 06.06.2026 is hereby set aside. The first appellant / A4 is ordered to be released on bail on the following conditions:-



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i) The appellant / A4 shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) only with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Virudhunagar District at Srivilliputtur.

ii) The appellant / A4 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;

iii) The appellant / A4 and the sureties shall file an affidavit of undertaking before the respondent police that the appellant / A4 will not involve in any offence in future.

iv) The appellant / A4 shall report before the respondent police, daily at 10.30 a.m., until further orders.

v) On violation of any of the above conditions by the appellant / A4, the respondent police shall move an application for cancellation of the bail.

The second appellant / A5 is ordered to be released on bail on the following conditions:-

i) The appellant / A5 shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) only with two sureties each for a like sum to the satisfaction of the



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learned Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Virudhunagar District at Srivilliputtur.

ii) The appellant / A5 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;

iii) The appellant / A5 shall report before the respondent police, daily at 10.30 a.m., until further orders.

iv) On violation of any of the above conditions by the appellant / A5, the respondent police shall move an application for cancellation of the bail.

17.07.2026

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To

1. The learned Sessions Judge,
Special Court for Exclusive Trial of
Cases under SC/ST (POA) Act, Dindigul.
2. The Deputy Superintendent of Police,
Soolakkarai Police Station, Virudhunagar.
3. The Inspector of Police,
Soolakkarai Police Station, Virudhunagar.
4. The Officer-in-charge,
District Jail, Dindigul.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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B.PUGALENDHI, J.

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