



Crl.A(MD)No.865 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MA DRAS HIGH COURT

Dated : 13.08.2025

CORAM :

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

Crl.A(MD)No.865 of 2025

Baskar ... Appellant/Accused No.6
Vs.
1.State of Tamil Nadu,
Deputy Superintendent of Police,
Sipcot Police Station, Thoothukudi ..1st Respondent/Complainant
2.P.K.Ramkumar ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Appeal filed under Section 14A(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by Act 1/2016 to set aside the order dated 12.06.2025 made in Crl.M.P.No.90 of 2025 on the file of the learned Sessions Judge, Special Court for SC/ST (POA) Act, Thoothukudi.

For Appellant : Mr.B.Syed Abdul Wakeel
For R1 : Mr.K.Gnanasekaran
Government Advocate(Crl.side)

JUDGMENT

This Criminal Appeal has been preferred challenging the order dated 12.06.2025 made in Crl.M.P.No.90 of 2025 on the file of the



Crl.A(MD)No.865 of 2025

WEB COPY

learned Sessions Judge, Special Court for SC/ST (POA) Act,
Thoothukudi.

2. The appellant is the sixth accused in Crime No.48 of 2023 and the said case has been registered for the offences under Sections 137, 148, 149, 109, 120(B), 212, 449, 302 r/w 34 IPC and Section 3(2)(v)3(2) (vi) of SC/ST (POA) Amendment Act, 2015.

3. The appellant has filed bail application before the trial court during the pendency of trial and the same was dismissed. Aggrieved over that, this appeal has been preferred.

4. The learned counsel for the appellant submitted that the appellant is arrayed as the sixth accused and he has been implicated in this case based on the confession given by a co-accused and he is under judicial custody for nearly two years and five months.



Crl.A(MD)No.865 of 2025

WEB COPY

5. The learned Government Advocate (Crl.side) submitted that the appellant is involved in thirteen previous cases and he is a history sheeted rowdy; even the trial court has recorded a list of cases pending against the appellant; there is a prior incident involving the murder of the elder brother of the defacto complainant; the said murder has occurred in front of the court premises and that was witnessed by the other brother of the defacto complainant by name, P.K.Muthukumar and the said Muthukumar was also murdered subsequently; the present case has been filed only in pursuant to the said Muthukumar's murder; in the earlier case in S.C.No.62 of 2020, trial is pending due to lack of co-operation from the accused; one of the accused by name Thangam(A15) in the other case has filed bail petition and that is dismissed; he has filed a criminal appeal in Crl.A(MD) No.573 of 2025 challenging the bail order and in which, a direction has been given to the trial court to ensure smooth and speedy conduct of trial and to give an early disposal; in view of the retaliatory murders and other murders that had taken place, the accused are kept in prison and in this case as well as in the connected case in S.C.No. 62 of 2020, the trial has been conducted in prison itself.



Crl.A(MD)No.865 of 2025

WEB COPY

By submitting the above facts, the learned Government Advocate (Crl.side) would object for granting bail in this appeal.

6. This Court gave anxious consideration to the submissions made on either side and carefully perused the materials available on record.

7. Despite a direction has been given by this Court to the trial Judge to conduct the trial on day to day basis, it appears that the trial Judge conducts the trial twice in a week. In that stage, if this accused is released on bail, that will cause protraction in the case pending without any further progress. Even though the learned counsel for the appellant submitted that there is no material against the appellant/A6, that has to be proved only before the Court at the time of trial. Though the appellant is said to have been in prison for 24 months, in view of the extraordinary situation involving in this case, the trial itself is directed to be conducted in prison. In such circumstances, it is right for the trial Judge to hold that releasing of the accused on bail will cause the case pending and that he might try to abscond and tamper the other witnesses. As there are several



Crl.A(MD)No.865 of 2025

WEB COPY

cases pending against the appellant, this appeal filed by the appellant seeking bail cannot be considered favourably.

8. Accordingly, this appeal is dismissed.

13.08.2025

Index : Yes/No
Internet : Yes/No
CM

To,
1.The Sessions Judge,
Special Court for SC/ST (POA) Act,
Thoothukudi.

2.The Deputy Superintendent of Police,
Sipcot Police Station, Thoothukudi

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



WEB COPY



Crl.A(MD)No.865 of 2025

Dr.R.N.MANJULA, J

CM

Judgment made in
Crl.A(MD)No.865 of 2025

13.08.2025