

*Crl. A.(MD)No.883 of 2025*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATE : 26.08.2025**

**CORAM**

**THE HONOURABLE DR. JUSTICE R.N.MANJULA**

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1. Sathish

2. Mathan

... Appellants

Vs

1. The State of Tamilnadu,  
Rep by the Deputy Superintendent of Police,  
Kovilpatti Sub Division,  
Thoothukudi District.

2. The State of Tamilnadu,  
Rep by the Inspector of Police,  
Nalatinpudur Police Station,  
Kovilpatti Sub Division,  
Thoothukudi District.  
Crime No.172/2024.

3. Mathankumar

... Respondents

**Prayer :** This Criminal Appeal is filed under Section 14A(2) of SC/ST (PoA) Act to call for the records pertaining to the order passed in Cr.M.P.No.150 of 2025 in Cr.No.172 of 2024 on the file of the Special Court for trial of cases under SC/ST (POA) Act, Thoothukudi, dated 23.07.2025 and set aside the same as illegal and enlarge the appellants on bail by allowing the criminal appeal.



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For Appellants : Mr.M.Prabhu  
For R1 & R2 : Mr.K.Gnanasekaran  
Government Advocate (Criminal Side)  
For R3 : Mr.Vignesh

### **JUDGMENT**

This Criminal Appeal is filed challenging the order passed by the learned Sessions Judge, Special Court for trial of cases under SC/ST (POA) Act, Thoothukudi in Cr.M.P.No.150 of 2025 dated 23.07.2025.

2. The appellants are A3 and A4, who were arrested and remanded to judicial custody on 24.09.2024.

3.The learned counsel for the appellants submitted that in this case though final report has already been filed and the case is pending for trial, the trial Court has not considered the bail application of these petitioners favourably.

4.The learned counsel further submitted that the appellants would abide by the conditions, if any, imposed by this Court in the event of enlarging them on bail.



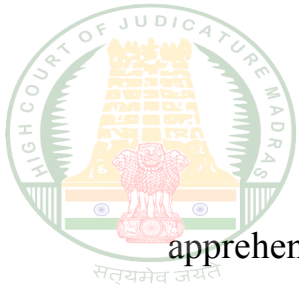
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5.The learned Government Advocate submitted that the first appellant has got 5 previous cases pending against him and the second respondent is a history sheeted rowdy and hence, if the appellants are released on bail, they might abscond and it will not be possible to conclude the trial.

6.The learned counsel for the defacto complainant/3<sup>rd</sup> respondent submitted that there is a life threat at the hands of the appellants and if the appellants released on bail, it will not be possible to secure the ends of justice. He further submitted that the relatives of the appellants have already threatened the defacto complainant and therefore, it would not be appropriate to release them at this stage.

7.It is learnt that in this case charge sheet has already been filed and the case was taken on file in SC No.46 of 2024. As per the submission made by the learned Government Advocate, so far 14 out of 29 witnesses have been examined. Even according to the learned counsel for the appellants some of the witnesses have turned hostile. But that part of the merits of the evidence cannot be taken into account at this stage.

8.Since the trial Court has already examined 14 witnesses in this case, it would be appropriate to fix a specific time frame for examining the remaining witnesses and to conclude the trial at the earliest. In view of the



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apprehension of threat expressed by the defacto complainant at the hands of the relatives of the appellants, I am of the view that it would not be appropriate to consider the bail application of the appellants favourably. I therefore find no reason to interfere with the order passed by the trial Court.

9. Accordingly, this Criminal Appeal stands dismissed and the trial Court is directed to conclude the trial in SC No.46 of 2024 within the stipulated time and at the earliest possible.

**26.08.2025**

NCC : Yes/No  
Index : Yes/No  
Internet : Yes/No  
PNM

To

1. The Sessions Judge,  
Special Sessions Court for Exclusive trial of cases  
under SC/ST Act Cases, Sivagangai

2. The Deputy Superintendent of Police,  
Kovilpatti Sub Division,  
Thoothukudi District.

3. The Inspector of Police,  
Nalatinpudur Police Station,  
Kovilpatti Sub Division,  
Thoothukudi District.

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

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**DR.R.N.MANJULA, J.**

*PNM*

**JUDGMENT IN**  
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