

WEB COPY

CRL A(MD) NO. 189 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-02-2025

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THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL A(MD) NO. 189 of 2025

Andiselvam

Appellant(s)

Vs

1.The State of Tamilnadu

Rep. by The Deputy Superintendent of Police, Office of the
Deputy Superintendent of Police, Mudukulathur Taluk,
Ramanathapuram District.

2.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(Crime No.134 of 2018)

3.Muthumathi Respondent(s)

Prayer : Criminal Appeal filed under Section 14(A) of SC / ST (Amendment Act) of 2014 amendment by 01 of 2016 to set aside the order made in CrMP(MD)No.1216 of 2024 on the file of the learned Sessions Judge (PCR Court), Ramanathapuram dated 12.08.2024 and allow this appeal and enlarge the appellant on bail.

For Appellant(s): Mr.V.Selvakumar

For Respondent(s): Mr.T.Senthil Kumar

Additional Public Prosecutor for R1 and R2

ORDER

The petitioner, who is accused No.2 in SplSC No.16 of 2019 is facing trial along with two others for the offence under Sections 294 (b), 324 and 307 of IPC and under Section 3(2) (v) of SC / ST (Prevention of Atrocities) Act. The appellant was absent for the hearing on

<https://www.mhc.tn.gov.in/judis>

13.10.2023 and therefore, a non bailable warrant of arrest was issued as against him and he was arrested on 14.02.2024 on PT warrant, when he was remanded in another case. The



appellant has moved a bail application before the Special Court for SC/ST (t cases in CrMP.No.189 of 2025, the same was dismissed by the trial court by order dated 12.08.2024 considering his past conduct in evading the trial twice on 28.01.2020 and on 23.01.2021. As against the order of the trial Court, the accused preferred this appeal.

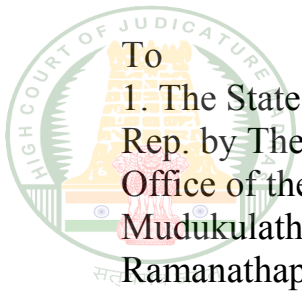
2.The learned counsel for the appellant submits that this appellant was already granted bail, however, he failed to appear on 13.10.2023 since he was arrested in connection with another case. However, he was remanded on PT warrant and now he is in jail for more than ten days.

3.The learned Additional Public Prosecutor submits that the trial in Spl.SC.No.16 of 2019 has reached its finality and investigating officer alone has to be examined. The appellant has evaded the trial on 28.01.2020 and therefore a non bailable warrant of arrest was issued. Thereafter, he surrendered only on 19.12.2020. Again he absconded on 23.01.2022 and surrendered only on 07.9.2022. The appellant was convicted in another case and that apart he is also involved in two more cases.

4.Considering the stage of the trial and the conduct of the appellant this Court is not inclined to entertain the appeal. Accordingly, this appeal is dismissed. Since this Court denied bail to the appellant and investigating officer alone has to be examined, the respondent police shall produce the investigating officer on the next date of hearing and the trial court shall conclude the trial within a period of two months from the date of receipt of a copy of this order.

17-02-2025

DSK



To

1. The State of Tamilnadu
Rep. by The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Mudukulathur Taluk,
Ramanathapuram District.

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2. The Inspector of Police
Mudukulathur Police Station,
Ramanathapuram District.
Crime No. 134/2018.

3. The Special Judge,
Special Court to deal with cases under
SC/ST (Prevention of Atrocities) Act,
Ramanathapuram District.



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