



WEB COPY

CRL.A.(MD).No.1194 of 2025



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 20.11.2025

Delivered on : 27.11.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

CRL.A(MD).No.1194 of 2025

M.Manikandan @ Kool Mani

.. Appellant/A7

Vs.

1.State of Tamil Nadu rep.by
The Deputy Superintendent of Police,
Aravakurichi Range, Karur District.

2.The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
Crime No.778 of 2020.

3.Ramesh

.. Respondents

PRAYER: Criminal Appeal filed under Section 14 A(2) of SC/ST (PoA) Act 2015, to call for the records relating to the impugned order passed by the learned Principal District and Sessions Judge, Karur, in Cr.M.P.No. 1748 of 2025 in Spl.S.C.No.21 of 2023 and the same was dismissed on 28.10.2025 and set aside the same and enlarge the appellant on bail.

For Appellant : Mr.Niranjan S.Kumar,
for Mr.B.Aravinthan.

For Respondents : Mr.K.Gnanasekaran,
Government Advocate (Criminal Side)
for R1 & R2.



WEB COPY

CRL.A.(MD).No.1194 of 202.



: No Appearance, for R3.

JUDGMENT

The Criminal Appeal is directed against the order passed in Cr.M.P.No.1748 of 2025, dated 28.10.2025 on the file of the learned District and Sessions Judge, Karur, in dismissing the bail application filed under Section 483 of BNSS.

2.The case of the prosecution is that the deceased Ranjith Kumar and one Kalaiyarasan, who were working jointly as electricians, had certain issue in money matters; that they had a fight at the wineshop and the deceased Ranjith Kumar had assaulted the said Kalaiyarasan; that on 17.12.2020 at about 04.30 pm, near 91 coffee cafe, while the Ranjith Kumar was sitting in his two wheeler, all the accused came in two wheelers and attacked the said Ranjith Kumar with sickle and caused severe injuries and that the said Ranjith Kumar succumbed to the injuries. On the basis of the complaint lodged by the third respondent, FIR came to be registered in Crime No.778 of 2025 on 17.12.2020 for the offences under Sections 147, 148, 302, 149 and 120 B of IPC and Sections 3(1)(x), 3(1)(XI), 3(2)(v) of SC/ST Act. After completing the investigation, charge sheet was filed and the case was taken on file in S.C.No.48 of 2021 and is pending on the file of the Principal District and Sessions Court, Karur.



3. It is not in dispute that since NBW was pending against the appellant, who is the seventh accused and the ninth accused, the trial Court has passed an order splitting the case as against the accused 7 and 9 in Spl.S.C.No.21 of 2023. It is also not in dispute that the appellant was arrested in connection with another case in Crime No.801 of 2024 for the offence under Section 309(4) of BNS on 27.10.2024 and was remanded to judicial custody. Thereafter, the appellant was arrested formally so far as the present case is concerned and was remanded to judicial custody on 04.12.2024.

4. It is also not in dispute that the trial in mother case in S.C. No.48 of 2021 has already been completed and since charges were altered, petitions to recall some witnesses were pending. In the present case in Spl.S.C.No.21 of 2023, 11 witnesses have been examined and is pending for examination of the remaining witnesses.

5. The appellant has earlier filed an appeal in Crl.A.(MD)No.601 of 2025, challenging the dismissal of his bail petition before the trial Court and the learned Judge of this Court vide order, dated 16.07.2025, declined to grant bail, but directed the trial Court to complete the trial as expeditiously as possible, preferably, by posting the case on day to day



basis. The appellant has then moved an application for bail under Section 483 of BNSS in CrI.M.P.No.1748 of 2025 before the District and Sessions Judge, Karur and the learned Sessions Judge, after enquiry, passed the impugned order, dated 28.10.2025, dismissing the bail petition. Aggrieved by the dismissal order, the present appeal came to be filed.

6. When the appeal was taken up for hearing on 17.11.2025, considering the orders passed by this Court in the earlier appeal in CrI.A(MD)No.601 of 2025, directing the trial Court to complete the trial as expeditiously as possible, preferably, by posting the case on day to day basis and the fact that only two witnesses were examined in the meanwhile, directed the Registry to call for a report from the learned Principal District and Sessions Judge, Karur, as to why the order of this Court was not complied with.

7. In pursuance of the said direction, the learned District and Sessions Judge, Karur, submitted a report, dated 19.11.2025, mainly stating that the order copy in CrI.A(MD)No.601 of 2025 was not received by his Court and they came to from the downloaded copy, that copy of the order was marked to the Sessions Court for Exclusive trial of cases under SC/ST Act cases, Sivagangai; that neither the Advocate nor the Public Prosecutor



of the said Court has informed about the order of this Court and that the case will be posted on day-to-day basis and the trial will be completed expeditiously as per the directions. Even as per report of the learned District and Sessions Judge, Karur, 11 witnesses have been examined so far.

8. No doubt, as rightly pointed out by the learned District and Sessions Judge, the copy of the earlier order passed in CrI.A(MD)No.601 of 2025 was marked to the Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST Act, Sivagangai, but as rightly pointed out by the learned counsel for the appellant, in the bail petition in CrI.M.P.No.1748 of 2025, the order passed in CrI.A(MD)No.601 of 2025 was brought to the notice of the trial Court and the learned District and Sessions Judge has referred the said order in the impugned order.

9. It is pertinent to mention that the impugned order was passed on 28.10.2025 and as rightly pointed out by the learned counsel for the appellant, the learned District and Sessions Judge was aware of the directions issued by this Court.

10. The learned counsel for the appellant would submit that the appellant is an innocent and is in no way connected with the alleged



occurrence and that he has been falsely implicated in the above case. He would further submit that due to life threat, the appellant was not able to appear before the trial Court and since the appellant has not turned up before the trial Court in murder case in S.C.No.48 of 2021, NBW was ordered to be issued and subsequently, the case as against him was ordered to be split up; that he was arrested in connection with Crime No. 801 of 2024 on the file of the Karur Town Police Station and on PT warrant, he was produced on 04.12.2024, so far as the present case is concerned and was remanded to judicial custody; that the appellant is in judicial custody for the past more than 300 days and that since 11 witnesses, including main witnesses have been examined and with 43 witnesses remaining, completing the trial is unlikely soon and that therefore, the appellant may be enlarged on bail.

11. The learned counsel for the appellant would rely on two decisions of the Hon'ble Supreme Court in ***Union of India Vs. K.A.Najeeb in Crl.ANo.98 of 2021*** and another case in ***Ejike Jonas Orji Vs. Narcotics Control Bureau*** reported in ***2023 Livelaw (SC) 670***, wherein the Hon'ble Apex Court has held that since the accused therein were in prolonged incarceration as under trial prisoners and taking note of the fact that the trial could not be completed shortly, bail was ordered to be granted.



12. In the present case, as rightly pointed out by the learned Government Advocate (Criminal Side) NBW was issued against the appellant on 25.11.2021, during pendency of the mother case in S.C. No.48 of 2021 and thereafter, the appellant has not taken any steps to surrender himself before the concerned Court and to recall the warrant, but on the other hand, he was arrested in connection with other case and while he was in judicial custody, he was produced on PT warrant and remanded to judicial custody, so far as the present case is concerned, on 04.12.2024.

13.As rightly pointed out by the learned Government Advocate (Criminal Side) in the mother case all the prosecution witnesses have been examined and that the trial on the mother case and the split up case in Spl.S.C.No.21 of 2023 were delayed due to the appellant's absence and pending warrant against them.

14. The learned Government Advocate (Criminal Side) would submit that the accused is a history sheeted rowdy in H.S.No.1 of 2023, dated 07.02.2023 and was having 8 cases, out of which two cases were disposed of and other 6 cases are pending, which includes another murder case and murder attempt case and two cases under Arms Act and Explosives Act.



WEB COPY

15. When the matter was taken up for hearing on 17.11.2025, the third respondent/defacto complainant upon receipt of Court notice entered into appearance and raised objections stating that there is a potential threat to life, if the appellant is released on bail.

16. The learned Government Advocate (Criminal Side) would submit that if the accused is released on bail, he will definitely abscond and there will be no further progress in the trial.

17. Considering the above facts and circumstances of the case, gravity of the offences alleged against appellant and also taking note of the facts that the trial is in part-heard stage, his bad antecedents and taking note of the objections raised by the third respondent/defacto complainant as well as the learned Government Advocate (Criminal Side), this Court is not inclined to grant bail at this point of time. But at the same time, this Court is of the view that the trial Court is to be directed to proceed with the trial and complete the same within the time to be stipulated by this Court.

18. Section 14(3) of SC/ST (PoA) Act contemplates that in every trial in the Special Court, proceedings shall be continued from day-to-day



until all the witnesses in attendance have been examined and the trial shall, as far as possible, be completed within a period of two months from the date of filing of the charge sheet.

19. In the result, the Criminal Appeal is dismissed. The learned learned Principal District and Sessions Judge, Karur, is directed to proceed with the trial and complete the same within a period of two months from the date of receipt of copy of this order.

27.11.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

das

To

- 1.The Principal District and Sessions Judge, Karur.
2. The Deputy Superintendent of Police,
Aravakurichi Range, Karur District.
- 3.The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
- 4.The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 5.The Section Officer,
Criminal Section, Madurai Bench of Madras High Court,
Madurai.



WEB COPY

CRL.A.(MD).No.1194 of 2025.



K.MURALI SHANKAR, J.

das

Pre-delivery order made in
CRL.A(MD).No.1194 of 2025

27.11.2025