



CRL A No. 179 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL A No. 179 of 2026

Ravisankar
S/o. Sambasivam,
Kiruvareddiyur Kattuvalavu,
Gundikkal, Salem,
Salem District.

..Appellant(s)

Vs

1. The State of Tamil Nadu Rep.by its,
The Deputy Superintendent of Police,
Omalur Sub Division,
Omalur Police Staton,
Salem District.
2. The State of Tamil Nadu Rep.by its,
The Inspector of Police,
Omalur Police Station,
Salem District.
Cr.No.58/2026.
3. Thangaponnu
W/o.Late Ramesh,
D.No.158/1, Bharathi Street,
Kalarpatty Main Road,
Salem - 15.

..Respondent(s)

Prayer: This Criminal Appeal is filed under Section 14(A)(2) of SC/ST Act, 1989, to set aside the order passed by the Special Court for Trial of Cases under SC & ST (POA) Act, Salem in Crl.M.P.No.23 of 2026 dated 05.02.2026 and



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enlarge the appellant on bail in Cr.No.58 of 2026 pending on the file of the
Omalur Police Station, Salem.

For Appellant(s): Mr.T.Ganesan
For Respondent(s): MR.S.Balaji
Government Advocate(Crl Side)
For R1 andR2
Mr. K.Jayachandiran
For R3

JUDGMENT

The appellant who is an accused in Crime No.58 of 2026 for the offences under Sections 189 (4), 329 (4), 324(5), 296(b), 115(2), 351(3) of BNS r/w Sec 3(1)(r) and 3(1)(s) of SC/ST (PoA) Act was arrested on 02.02.2026. He filed a bail application before the trial Court, which came to be dismissed by the impugned order.

2.The case of the prosecution is that the appellant had purchased a property from the other accused and tress-passed into the property, which was in possession of the defacto complainant, forcibly evicted her and attacked her, besides humiliating her on account of her caste.



3.The learned counsel for the appellant would submit that the allegations are false; that the petitioner had purchased the property for a valid consideration; that he was already in possession; that the victim had illegally tress-passed into the property two days before the date of occurrence and lodged a false complaint and; that in any case, considering the nature of offense and since the custody of the appellant is not required for further investigation, prayed that the appellant may be released on bail.

4.The learned counsel for the defacto complainant *per contra* submitted that the defacto complainant was always in possession of the property; that she had borrowed a certain sum of money from A1 and he had forced her to execute a Power of Attorney in his favour; that A1 in collusion with the other accused, have committed the aforesaid offences to deprive the defacto complainant of her property; and that in any case, her dispossession is illegal and the appellant along with the other accused have committed a serious offence.

5.The learned Government Advocate (Crl. Side) submitted that investigation is still pending and the final report would be filed in due course.



6.It is seen that the appellant had purchased the property by a sale deed from the co-accused. The allegation is that the appellant had illegally trespassed into the shed in possession of the defacto complainant and attacked her. The appellant is in custody from 02.02.2026. It is for the defacto complainant and the prosecution to establish the offence alleged against the appellant.

7.Considering the nature of allegation, the period of incarceration and other facts and in view of the fact that the further custody of the appellant is not required for the purpose of investigation, this Court is inclined to set aside the impugned order and release the appellant on bail on stringent conditions;

(i) The appellant 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 learned Special Court for Trial of Cases under SC & ST (PoA) Act, Salem;

(ii) The appellant shall reside at Trichy and report before the Trichy Cantonment Police Station, every day at 10.30 a.m. except on the hearing dates before the trial Court, until the disposal of the appeal.



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(iii) The appellant and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(iv) the appellant shall appear before the trial Court on all hearings;

(v) the respondent police is directed to ensure that there is no threat to the life and safety of the de-facto complainant. In the event of any threat, appropriate steps to be taken.

(vi) the appellant shall not commit any offences of similar nature;

(vii) the appellant shall not abscond either during investigation or trial;

(viii) the appellant shall not tamper with evidence or witness either during investigation or trial;

(ix) on breach of any of the aforesaid conditions, the learned Sessions Judge/Trial Court is entitled to take appropriate action against the appellant in accordance



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with law as if the conditions have been imposed and the appellant released on bail by the learned Sessions Judge/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

(x)if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

8. In view of the above, the impugned order, dated 05.02.2026 in Crl.M.P.No.23 of 2026 passed by the learned Special Court for Trial of Cases under SC & ST (PoA) Act, Salem, is set aside and the Criminal Appeal is allowed.

20-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

TSG

To

- 1.The Special Court for Trial of Cases under SC & ST (PoA) Act, Salem.
- 2.The Deputy Superintendent of Police, Omalur Sub Division, Omalur P.S. Salem District.



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3. The Inspector of Police,
Omalur Police Station,
Salem District.

4. The Superintendent,
Central Prison, Salem.

5. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

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