



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL A No. 178 of 2026

Karan
S/o.Vijayakumar,
No. 4/53, Main Road,
Saluvampettai,
Avoor,
Valangaiman Taluk,
Thiruvarur District.

..Appellant(s)

Vs

1. The Deputy Superintendent of Police
Nannilam Sub Division,
Nannilam,
Valangaiman Police Station,
Thiruvarur District.
Crime No. 381/2022.

2. Cheran
S/o.Thangabalu,
East Street,
Aavur,
Valangiman,

..Respondent(s)

Prayer: Criminal Appeal is filed under Section 14(A) of SC/ST Act, 2015, to set aside the order in Crl.M.P.No.16 2026 dated 06.02.2026 in Crime No. 381/2022, in S.S.C.No. 18 of 2025 and enlarge the appellant on bail in the case pending trial before the court of Special Court for Trial of Cases under



Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Tiruvarur
and thus render justice.

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For Appellant(s): Mr.R.Thamarai Selvan

For Respondent(s): Mr.S.Balaji
Government Advocate (Crl. Side) for R1

Ms.S.Sridevi, Legal Aid Counsel for R2
(Vide Court Order dated 19.02.26)
Mr.S.Hariharan for R2

JUDGMENT

The appeal challenges the dismissal of the appellant's bail application filed before the trial Court, who is facing prosecution in Spl.SC.No.18 of 2025 for the offences under Sections 147, 294(b), 323 and 352 IPC and Sections 3(2)(r), 3(1)(s) and 3(2)(va) of SC/ST (PoA) Act.

2. It is the case of the prosecution that on account of prior enmity, the appellant attacked the defacto complainant and other witnesses with his hands and an iron rod, besides humiliating them on account of their caste and committed the offence of criminal intimidation.

3. The appellant was earlier granted bail and since he did not appear before the trial Court, a Non-Bailable Warrant (NBW) was issued on



14.10.2024. Thereafter, a Look Out Circular was issued and he was apprehended at Trichy Airport on 25.01.2026 and is in custody since then.

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4. The appellant moved a bail application before the trial Court, which came to be dismissed by the trial Court in CrI.M.P.No.16 of 2026 dated 06.02.2026.

5. The learned counsel for the appellant would submit that the appellant had to go abroad to earn his livelihood and there was no intention to flee from justice; that the counsel engaged by him had failed to file the petition to dispense with his appearance; and that he would abide by any stringent conditions and would participate in the trial.

6. The learned counsel for the de facto complainant / second respondent, however, vehemently opposed grant of bail stating that the appellant has committed serious offences; and that, if he is released on bail, there is a chance of absconding once again; and therefore, he prayed that the appeal may be dismissed.

7. The learned Government Advocate for the first respondent would



submit that a warrant was issued on 14.10.2024 and the appellant was arrested at the Trichy Airport pursuant to the Look Out Circular issued by this Court at the instance of the respondent; and that the passport has been seized and is in the custody of the respondent; and that the respondent would deposit the passport before the Court.

8. Considering the nature of the offences alleged against the appellant, this Court is of the view that the fact that he has been in custody since 25.01.2026 is sufficient punishment for his abscondence. The appellant's passport has been seized. The appellant was admittedly granted bail earlier. Therefore, this Court is inclined to set aside the impugned order and release the appellant on bail on the following conditions:

(i) The appellant shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties, of whom one shall be a public servant, each for a like sum to the satisfaction of the Special Court for Trial of Cases under SC & ST (PoA) Act, Tiruvarur;

(ii) 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;



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(iii) the appellant shall not leave the country without prior permission of the trial Court;

(iv) the passport seized by the respondent shall be kept in the custody of the trial Court until further orders;

(v) the appellant shall appear before the trial Court every week at 10.30 a.m., and also on all hearing dates, until further orders;

(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 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]*; and

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



9. In view of the above, the impugned order, dated 06.02.2026 in
Crl.M.P.No.16 of 2026 passed by the Special Court for Trial of Cases under SC
& ST (PoA) Act, Tiruvarur, is set aside and the Criminal Appeal is allowed.

25-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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SUNDER MOHAN, J.

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To

1. The Special Court for Trial of Cases under SC & ST (PoA) Act, Tiruvarur,
2. The Deputy Superintendent of Police
Nannilam Sub Division,
Nannilam,
Valangaiman Police Station,
Thiruvarur District.
3. The Superintendent of Prison,
Sub Jail, Nagapattinam

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