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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.4647 of 2026

Palanisamy

... Petitioner

Vs.

State Represented by
Inspector of Police,
Thirumuruganpoondi Police Station,
Tiruppur District.
(Crime No.185 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
S.C.No.24 of 2025 in Cr.No.185 of 2024 pending trial before the Special
Court for Trial of Cases under SC/ST (POA) Act, Tiruppur on the file of the
respondent police.

For Petitioner : Mr.S.Esakkimuthu

For Respondent : Mr.A.Gopinath
Government Advocate (CrI.Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on
11.02.2026, seeks bail in S.C.No.24 of 2025 on the file of the Special Court
for Trial of Cases under SC/ST (POA) Act, for the offence punishable under
Section 294(b) of IPC, 3(1) of TNPPDL Act, in connection with Crime
No.185 of 2024, registered on the file of the respondent.



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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in S.C.No.24 of 2025 on the file of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, Tiruppur. He further submitted that, at the time when the case was called, the petitioner was not feeling well and was waiting outside the Court, without hearing that the case had been called again. Unfortunately, the petitioner was unable to appear before the Court. After the lunch break, the case was called once again. Later on the same day, the petitioner was represented through his counsel; however, the trial Court had already issued a Non-Bailable Warrant (NBW) against him on 05.02.2026. The petitioner thereafter filed an advance hearing petition along with a surrender petition and a warrant recall petition on 11.02.2026. On the same day, the said petitions were dismissed and the petitioner was remanded to judicial custody on 11.02.2026. He further submitted that the petitioner undertakes to appear regularly before the trial Court on all hearing dates hereafter and is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.



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3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the trial Court is recorded the proceedings on 05.02.2026 and the case was posted for examination of witnesses. At the time when the case was called, the petitioner was absent and thereby stalled the trial proceedings. He further submitted that if the petitioner is released on bail, he may abscond again, which would prejudice the prosecution in conducting the trial. Hence, he opposed the grant of bail to the petitioner.

4. Heard both sides and perused the materials available on record.

5. Considering the nature of allegations, period of incarceration of the petitioner and also considering the fact that petitioner has no previous case, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 **Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a



copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the Trial Court on all working day at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

26.02.2026

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur
2. The Inspector of Police,
Thirumuruganpoondi Police Station,
Tiruppur District.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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