



Crl.A.No.304 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2026

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

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Siddash @ Sithesh

...Appellant

Vs.

State rep. by its,

1. The Deputy Superintendent of Police,
Udumalpet Sub-Division,
Tiruppur District.
2. The Inspector of Police,
Komaralingam Police Station,
Tiruppur District.
Crime No.21 of 2026.

3. Riju

...Respondents

Criminal Appeal filed under Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, to set aside the order dated 27.02.2026 made in Crl.M.P.No.25 of 2026 by the learned Sessions Judge, Special Court for Trial of cases under SC & ST (PoA) Act, Tiruppur and to allow this criminal appeal by enlarging the appellant on bail.

For Appellant : Mr.S.Arulselvan

For Respondents : Ms.J.R.Archana, GA(Crl. Side), for R1 & R2
: No Appearance, for R3



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ORDER

This criminal appeal has been filed seeking quashment of the order dated 27.02.2026 passed by the learned Sessions Judge, Special Court for Trial of cases under SC & ST (PoA) Act, Tiruppur, in Crl.M.P.No.25 of 2026, dismissing the petition filed by the appellant seeking bail in Crime No.21 of 2026.

2. The case of the prosecution as per the 2nd respondent/*de facto* complainant is that he was taking care of the farmland owned by one Gopinath, by residing there along with one Karthik. Owing to an existing civil dispute between the owner of the *de facto* complainant and one Aswin/A1 of Pethappampatti, on 27.01.2026, at about 1.00 a.m., the 1st accused, along with his associates, came to the farmland, where the *de facto* complainant was working, in a JCB vehicle, cars and tractors and abused the *de facto* complainant by calling him by his caste name, assaulted both the *de facto* complainant and his colleague Karthik after tying their hands, damaged the shed and took away their cellphone, ATM card and cash. As a result of the incident, the *de facto* complainant and his colleague sustained grievous injuries and were taken to hospital. Thereafter, based on the complaint lodged by the *de facto* complainant, the aforesaid case in Crime No.21 of 2026 for the offences under Sections

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191(2), 191(3), 296(b), 126(2), 115(2), 118(1) and 303(2) of the BNS, Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Section 3 of the TN Public Property (Prevention of Damage & Loss) Act, 1992 was registered.

3. Learned counsel for the appellant made the following submissions:

3.1 The appellant is innocent and he has been falsely implicated in this case. In order to settle the property issue existing between the owner of the de facto complainant and the first accused, a false case has been lodged and since the appellant had supported A1, he has also been arrayed as an accused and that there are no specific allegations against the appellant, who has been in custody from 28.01.2026. However, the Court below, without taking into consideration the grounds raised by the appellant, dismissed his bail petition vide order dated 27.02.2026, which is wholly unsustainable.

3.2 This Court, vide orders both dated 18.03.2026 made in Crl.O.P.Nos.215 & 248 of 2062 and, vide order dated 24.03.2026 made in Crl.O.P.No.284 of 2026, enlarged the co-accused persons including A1 on bail, by allowing the appeals filed by the respective accused. Hence, the

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impugned dismissal order may be set aside and the appellant may be enlarged on bail.

4. Learned Government Advocate (Criminal Side) appearing for 1st and 2nd respondents, reiterated the prosecution case and submitted that the appellant/A5 is a named accused in this case and he, along with other accused persons, went to the scene of occurrence and damaged the asbestos sheets. She further fairly submitted that there is no previous case pending against the appellant and that the co-accused persons viz., A1, A6, A11 and A26 have been granted bail by this Court. She also submitted that the injured persons have been discharged from the hospital. However, she vehemently opposed for grant of bail to the appellant.

5. Though notice has been served on the 3rd respondent and his name is printed in the cause list, there is no representation on his behalf. Hence, this Court is inclined to dispose of this appeal based on the materials available on record.

6. Having heard the learned counsel for the appellant and the learned Government Advocate (Criminal Side) appearing for the 1st and

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2nd respondents and upon perusal of the materials available on record and also taking note of the fact that the injured persons have been discharged from the hospital and the period of incarceration undergone by the appellant, this Court is inclined to set aside the impugned dismissal order dated 27.02.2026.

7. Accordingly, the impugned order dated 27.02.2026 passed by the learned Sessions Judge, Special Court for Trial of cases under SC & ST (PoA) Act, Tiruppur, in Crl.M.P.No.25 of 2026 is set aside and the appellant is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned **Sessions Judge, Special Court for Trial of cases under SC & ST (PoA) Act, Tiruppur,** and on further conditions that:

[a] the appellant and sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the appellant shall appear before the 2nd respondent police, everyday at 10.30 a.m., until further orders;



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[c] the appellant shall not abscond either during investigation or trial;

[d] the appellant shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/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 Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

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

8. With the above directions, this criminal appeal stands allowed.

01.04.2026

skt

NCC : Yes/No

Note to office: Issue order copy on 01.04.2026.



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To:

1. The Sessions Judge,
Special Court for Trial of cases under SC & ST (PoA) Act,
Tiruppur.
2. The Superintendent,
Central Prison,
Coimbatore.
3. The Deputy Superintendent of Police,
Udumalpet Sub-Division,
Tiruppur District.
4. The Inspector of Police,
Komaralingam Police Station,
Tiruppur District.
5. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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