



CRL.A.No.370 of 2026

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

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

CRL.A.No.370 of 2026

Monnaiyan @ Duraisamy

..Appellant(s)

Vs.

1. The Deputy Superintendent of Police,
Bhavani Sub-Division,
Chithode Police Station,
Salem District.
Crime No.137 of 2025
2. The Inspector of Police,
Chithode Police Station,
Salem.
3. S.Saranya

..Respondent(s)

Prayer : Criminal Appeal filed under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, praying to set aside the order dated 15.10.2025 of the learned Principal District and Sessions Court, Erode in Crl.M.P.No.2557 of 2025 and consequently enlarge the appellant on bail in Crime No.137 of 2025, pending investigation on the file of the respondent Police.



CRL.A.No.370 of 2026

For Appellant : Mr.T.Saikrishnan
For R1 & R2 : Ms.J.R.Archana,
Government Advocate (Criminal Side)
For R3 : No appearance

JUDGMENT

This Criminal Appeal has been filed seeking to set aside the order dated 15.10.2025 passed in CrI.M.P.No.2557 of 2025 by the learned Principal District and Sessions Judge, Erode and consequently enlarge the appellant on bail.

2. The case of the prosecution is that on 19.03.2025, while the deceased, Chanakya @ John, along with his wife Saranya/de facto complainant, was travelling by car from Salem towards Tiruppur, the appellant, along with other accused, intercepted and dashed their vehicle against the car of the deceased near Nasiyanur. The accused persons, having conspired together with the intent to commit murder, brutally assaulted the deceased with deadly weapons (knives/machetes) in the



CRL.A.No.370 of 2026

presence of his wife/de facto complainant. The deceased died on the spot due to the multiple fatal injuries sustained during the attack.

3. Based on the complaint lodged by the de facto complainant, a case in Crime No. 137 of 2025 was registered at the Chithode Police Station, Erode District. The case was initially registered against Jeevagan (A-1) and 9 others, including the appellant herein, namely (1)Saravanan, (2)Sathish @ Surya, (3)Karthi, (4)Monnaiyan [appellant] (5)Boopalan, (6)Alagarasan @ Alaguraj, (7)Kunda Boopalan, (8)Vicky @ Kunda Balu, and (9)Sivakumar @ Gundu Siva, under Sections 191(2), 191(3), 109(1) & 103 of The Bharatiya Nyaya Sanhita (BNS), 2023.

4. During the course of the investigation, it was established that the deceased belonged to a Scheduled Caste (SC) community. Consequently, the case was altered to include the relevant provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The respondents have since completed the investigation and filed a final report against 14 persons, including the appellant, under Sections 109(1), 49, 61(2), 3(5), 103(1), 238(a), 336(3) & 324(5) of The



CRL.A.No.370 of 2026

Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 3(2)(v) & 3(2)(va) of The Scheduled Castes and The Scheduled Tribes (Prevention Of Atrocities) Amendment Act, 2015.

5. The specific allegation against the appellant (A-10) is that he travelled along with the other accused in a car, got down at a particular place, monitored the movements of the deceased and provided real-time information to A-1. The appellant previously filed a bail application before the learned Principal District and Sessions Judge, Erode, in Crl.M.P.No.2557 of 2025. The learned Judge dismissed the said application by order dated 15.10.2025. Aggrieved by the dismissal, the appellant has preferred the present appeal challenging the said order.

6. Mr.T.Saikrishnan, learned counsel appearing for the appellant, would submit that the appellant has been arrayed as A-10 in this case. He would contend that the appellant was not present at the time of occurrence and has been falsely implicated solely based on the confession of A-1. Even as per the alleged confession, the only role attributed to the



CRL.A.No.370 of 2026

appellant is that he informed A-1 about the movements of the deceased.

7. The learned counsel would further submit that other than being a friend of A-1, the appellant has no role in this case. While there was admitted previous enmity between A-1 and the deceased, the respondent Police, acting on a mere apprehension, have implicated the appellant without any corroborative evidence. He would reiterate that there is no overt act attributed to the appellant other than the alleged communication, and he remains implicated only on the basis of confession of a co-accused, which is inadmissible in the absence of independent recovery or evidence.

8. He would further submit that a similarly placed accused, Alagarasan @ Alaguraj (A-7), filed a bail appeal in Crl.A.No.511 of 2025. This Court, by an order dated 06.06.2025, dismissed the said appeal. Aggrieved by that dismissal, the said accused preferred a Special Leave to Appeal (Criminal) before the Hon'ble Supreme Court. By an order dated 26.02.2026, the Hon'ble Supreme Court allowed the appeal,



CRL.A.No.370 of 2026

set aside the High Court's order and granted bail to the said accused.

9. The learned counsel would further submit that the appellant is similarly placed to the co-accused who was granted bail by the Hon'ble Supreme Court and has been in judicial custody since 25.03.2025. It is also submitted that even as per the accusation, the alleged occurrence is on account of group rivalry and not on account of any communal enmity.

10. Contradicting this, the learned Government Advocate (Criminal Side) would submit that the appellant is a close associate of A-1. She specifically alleged that the appellant monitored the movements of the deceased and his wife/de facto complainant and provided critical intelligence to A-1. Acting on this information, A-1 along with the other accused persons, intercepted the vehicle of the deceased, dashed against it, and committed a brutal murder in broad daylight.

11. The prosecution further contended that after committing the murder, the accused persons engaged in acts of rioting to terrorise the



CRL.A.No.370 of 2026

witnesses. The respondent Police emphasized that the appellant's involvement in the conspiracy is evidenced by the confession statement of A-1, which details how the appellant tracked the deceased. She vehemently opposed the grant of bail by citing the 12 previous cases the appellant has got, the heinous nature of the crime and the potential threat to the de facto complainant.

12. In reply, the learned counsel for the appellant would submit that although the appellant is said to have allegedly involved in 12 cases, he has not been convicted in any of them to date.

13. Despite service of notice on the third respondent/de facto complainant and her name being printed in the cause list, none appeared on her behalf.

14. Considering the rival submissions, it is noted that the appellant has been arrayed as A-10 primarily based on the confession of A-1. According to the prosecution, A-1 confessed that the appellant informed



CRL.A.No.370 of 2026

him about the movements of the deceased. However, it is an admitted fact that the appellant was not present at the scene of crime. Furthermore, a similarly placed accused, Alagarasan @ Alaguraj (A7), was granted bail by the Hon'ble Supreme Court in Special Leave to Appeal (Criminal) No.19201 of 2025 by an order dated 26.02.2026. Additionally, co-accused namely Periyasamy (A-14), was granted bail by this Court vide order dated 11.03.2026 passed in Crl.A.No.1641 of 2025

15. In view of the above findings, the appellant is granted bail and the impugned order dated 15.10.2025 passed in Crl.M.P.No.2557 of 2025 by the learned Principal District and Sessions Judge, Erode, dismissing the bail application of the appellant, is hereby set aside.

16. Accordingly, the substantive sentence of imprisonment alone is suspended and the appellant 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, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Principal



CRL.A.No.370 of 2026

District and Sessions Judge, Erode, and on further conditions that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

(ii) the appellant shall appear before the trial Court on all working days at 10:30 a.m. until further orders.

15-04-2026

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

Sni

Note: Issue Order Copy on 17.04.2026



WEB COPY



CRL.A.No.370 of 2026

A.D.JAGADISH CHANDIRA, J.

Sni

To

1.The Deputy Superintendent of Police,
Bhavani Sub-Division, Chithode Police Station,
Salem District.

2.The Inspector of Police,
Chithode Police Station, Salem.

3.The Principal District and Sessions Judge,
Erode.

4.The Superintendent,
Central Prison, Salem.

5.The Public Prosecutor,
High Court of Madras.

CRL.A.No.370 of 2026

15-04-2026

Page10 of 10