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CRL A No. 542 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL A Nos. 542 & 543 of 2026

1. K. Sathish
2. P.Boopalan

..appellants(s)
(In Crl.A.No.542 of 2026)

Saravanan

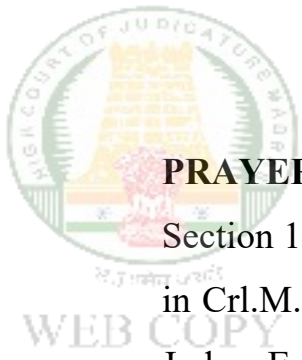
..appellants(s)
(In Crl.A.No.543 of 2026)

Vs

1. The State Rep by
Deputy Superintendent of Police
Office of Deputy Superintendent of Police,
Erode.
2. State represented by
The Inspector of police
Chithode Police Station,
Erode District.
Crime No. 137/2025
3. S.Saranya

..Respondent(s)
(in both Appeals)

PRAYER IN Crl.A.No.542 of 2026 : The Criminal Appeal is filed under Section 14-A(ii) of SC/ST (POA) Act, 1989 to set aside the order dt. 17.03.2026 in Crl.M.P.No. 390/2026 passed by the Learned Principal District and Sessions Judge, Erode and grant bail to the appellants.



PRAYER IN CrI.A.No.543 of 2026 : The Criminal Appeal is filed under Section 14-A(ii) of SC/ST (POA) Act, 1989 to set aside the order dt. 17.03.2026 in CrI.M.P.No. 388/2026 passed by the Learned Principal District and Sessions Judge, Erode and grant bail to the appellants.

In both the Appeals

For appellants(s): Mr.D.Padmanabhan

For Respondent(s): Mr.A.Damodaran,
Additional Public Prosecutor for RR-1 & 2

JUDGMENT

The present Criminal Appeals have been filed to set aside the impugned order dated 17.03.2026 in CrI.M.P.Nos. 390 & 388/2026 passed by the Learned Principal District and Sessions Judge, Erode and grant bail to the appellants.

2. The appellants are arrayed as accused in the above referred crime number for the offences punishable under Sections 109(1), 49, 61(2), 103(1), 238(a), 336(3), 324(5) of BNS and Sections 3(2)(v), 3(2)(va) of SC/ST (POA) Act. After the registration of FIR, the appellants moved the Principal District and Sessions Judge, Erode and filed petitions under Section 483 of BNSS seeking grant of bail which were dismissed. Aggrieved thereby, the present appeals have been filed. After filing these appeals, notice was duly served on the third respondent, who is the de-facto complainant in the above referred crime number.



3. Today, when these appeals are taken up for hearing, there is no representation on the side of the third respondent.

4. On the other hand, the learned counsel appearing for the appellants submitted that the co-accused in this case had already been granted bail by this Court however, the appellants continue to remain in judicial custody for more than a period of one year. It was further submitted that since the investigation has been completed and charge sheet has also been filed, no purpose would be served in continuing the appellants in judicial custody and therefore, he prayed for enlarging the appellants on bail.

5. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that the investigation has been completed and the charge sheet was also filed. He further submitted that there is no previous case is pending against the appellants.

6. I have considered the rival submissions made by the learned counsels appearing on either side.



7. Taking into consideration the period of incarceration undergone by the appellants, the fact that there is no previous case is pending against them and also considering the fact that the co-accused have been enlarged on bail, this Court is inclined to allow the Criminal Appeals by setting aside the order, dated 17.03.2026 made in CrI.M.P.Nos.390 & 388 of 2021 on the file of the learned Principal District and Sessions Judge, Erode.

8. Accordingly, the Criminal Appeals are allowed and the order, dated 17.03.2026 made in CrI.M.P.Nos.390 & 388 of 2021 on the file of the learned Principal District and Sessions Judge, Erode is set aside. The appellants are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Principal District and Sessions Judge, Erode, and on further condition that:

(i) the appellants shall appear before the trial Court daily at 10.30 a.m. until further orders;

(ii) The appellants 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;

(iii) the appellants shall appear before the trial Court on all hearings;

(iv) the respondent police is directed to ensure that there is



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no threat to the life and safety of the de-facto complainant. In the event of any threat, appropriate steps to be taken.

(v) the appellants shall not commit any offences of similar nature;

(vi) the appellants shall not abscond either during investigation or trial;

(vii) the appellants shall not tamper with evidence or witness either during investigation or trial;

(viii) on breach of any of the aforesaid conditions, the learned Sessions Judge/trial Court is entitled to take appropriate action against the appellants in accordance with law as if the conditions have been imposed and the appellants 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]*;

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

13-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

NHS

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



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official website of this Court will be watermarked and will also have a QR code

P.DHANABAL, J.

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To

1. The Deputy Superintendent of Police
Office of Deputy Superintendent of Police,
Erode.

2. The Inspector of police
Chithode Police Station,
Erode District.

3. The learned Principal District and
Sessions Judge, Erode

4. The Public Prosecutor,
Madras High Court.

5. The District Jail,
Erode.

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13-05-2026