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CRL A No. 568 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HONOURABLE MR JUSTICE C. SARAVANAN

CRL A No. 568 of 2026

Kanniyappan

Appellant(s)

Vs

1. State rep.by,
The Deputy Commissioner of Police,
Villupuram, Villupuram District.

2.State rep.by,
Station House Office,
Auroville Police Station,
Villupuram District.

3.Sheela

Respondent(s)

PRAYER Criminal Appeal is filed under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, to set aside the order passed by the Learned Sessions Judge, Special court for Exclusive trial of cases under SC/ST Act, 1989 Villupuram in Crl.MP.No.74/2026 dated 10.04.2026 and enlarge the Appellant on bail in Cr.No.41/2026 registered on the file of 2nd respondent for the alleged commission of offence u/s.326(g) of BNS r/w 3(1) of TNPDDC Act 1984 r/w 4 of TNPWH Act and @ 329 of BNS, r/w 3(1)(w) (ii), 3(2)(va) SC/ST (POA) Act 1989.



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For Appellant(s): Mr.R.Ganesan
For Respondent(s): Mrs.Sharada Vivek
Government Advocate (Crl. Side)
for R1 and R2
Mr.Thomas T.Jacob for R3

ORDER

This Appeal is filed against the order passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Villupuram, in Crl.M.P. No.74 of 2026 dated 10.04.2026, and seeking to enlarge the Appellant on bail in Crime No.41 of 2026 registered on the file of the 2nd Respondent for the alleged offences under Sections 326(g) of BNS read with 3(1) of TNPDDC Act, 1984 read with 4 of TNPWH Act and @ 329 of BNS, read with 3(1)(w)(ii), 3(2)(va) SC/ST (POA) Act, 1989.

2.On perusal of the FIR in Crime No.41 of 2026, it is seen that the Appellant is *prima facie* involved in the commission of offences under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Whether the Appellant is in fact guilty of the offences alleged is a matter for trial.



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3.However, considering the fact that the Appellant was admittedly acquainted with the 3rd Respondent, whose property is stated to have been destroyed, I am inclined to order the Appellant to be released on bail.

4.Accordingly, the impugned order dated 10.04.2026 passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Villupuram, in CrI.M.P. No.74 of 2026 is set aside and the appellant is ordered to be released on bail subject to the condition that the Appellant shall deposit a sum of Rs.2,50,000/- (Rupees Two Lakh and Fifty Thousand only) to the credit of Crime No.41 of 2026, pending on the file of the respondent Police, within a period of thirty (30) days from today, and also on further conditions as under :

[a] The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Cases under SC/ST Act, Villupuram;

[b] 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.

[c] The appellant shall appear before the respondent police everyday at 06:30 p.m. until further orders.



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

[e] The appellant shall not tamper with evidence or witness either during investigation or trial;

[f] 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]*;

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

5. With the above directions, this Criminal Appeal stands allowed.

03-06-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr

Note: Issue Order Copy on 04.06.2026.



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To

- 1.The Sessions Judge,
Special court for Exclusive trial of cases under SC/ST Act,
Villupuram.
- 2.The Deputy Commissioner of Police,
Villupuram, Villupuram District.
- 3.The Station House Office,
Auroville Police Station,
Villupuram District.



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C.SARAVANAN J.

SSR

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