Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 31301 of 2026

CNR: {HCMA012472222026}

Prabhu
S/o Muruganandham,
Residing at No.1/58,
Nadu Street,
Moovanallur,
Mannargudi Taluk,
Thiruvarur District,
Tamilnadu.
Currently residing at Singapore
Level 03, RO2,07.No.48,
Sungei Kadut Street 1,
Singapore.

..Petitioner(s)

Vs

1. The State Rep by The Deputy Superintendent of Police
   Mannargudi Sub Division,
   Mannargudi Town Police Station,
   Thiruvarur District.
   Crime no.1515 of 2021.
2. Radhika
   W/o Rajaraman,
   No.1/58,
   Nadu Street,
   Moovanallur,
   Mannarugudi Taluk,
   Thiruvarur District.

..Respondent(s)

Prayer: This petition is filed under section 528 of BNS to Set aside the proclamation order in M.P.No.2 of 2026 in S.S.C.No.128 of 2025 on the file of the Special Court for SC/ST(POA) Act, Thiruvarur, dated 09.02.2026 and

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seek a direction to recall the pending Non-Bailable Warrant dated 05.08.2025 upon my surrender before the Court and pass such other order or orders.

For Petitioner(s): MrR.Subramanian
For Respondent(s): Mr.R.Ganesh Kumar, Additional Public Prosecutor For R1

ORDER

The petitions has been filed challenging the proclamation order dated 09.02.2026 in M.P.No.2 of 2026 in S.S.C.No.128 of 2025 on the file of the Special Court for SC/ST(POA) Act, Thiruvarur,

2. The petitioner is an accused and facing trial for the offences punishable under section 147,448,451,323,427 and 506(ii) of IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Since, the petitioner is in abroad the case wa split up as against other accused persons. Further the petitioner failed to appear before the Trial Court, hence the Trial Court has issued Non Bailable Warrant against the petitioner and the same is pending. While pending trial the complainant filed a petition under section 82(1) of Code of Criminal Procedure in M.P.No.2 of 2026 before the Trial Court and the learned Judge passed an order dated 09.02.2026 wherein it was recorded that the petitioner was “wilfully absconding and concealing himself”. Challenging the same, the petitioner has filed the present petition.

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

4. On perusal of records it is seen that even today the petitioner is in abroad, hence the order of proclamation order passed in M.P.No.2 of 2026 in S.S.C.No.128 of 2025 on 09.02.2026 cannot be set aside. Since, the Non Bailable Warrant is pending as against the petitioner , this Court is not inclined to allow this petition.

5.In view of the above facts, this petition is dismissed. However, the petitioner is at liberty to approach the Trial Court and recall NBW in accordance with law.

29-10-2026

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

SMN

To.

1. The Special Court for SC/ST(POA) Act, Thiruvarur,

2. The Deputy Superintendent of Police
Mannargudi Sub Division,
Mannargudi Town Police Station,Thiruvarur District.

3. The Public Prosecutor, High Court Madras

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G.K.ILANTHIRAIYAN, J.

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CRL OP No. 31301 of 2026

29-10-2026

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