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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL A No. 1310 of 2026

CNR: {HCMA012514242026}

1. Thiruppathi
   S/o Rajendiran,
   No.548, North Street,
   Karikkuppam,
   Kothattai, Parangipettai,
   Cuddalore District - 608 501.

2. Makkan @ Rajadurai
   S/o Pichai,
   No.533, North Street,
   Karikkuppam,
   Kothattai, Parangipettai,
   Cuddalore District- 608 501.

3. Thirunavukarasu
   S/o Manmadam,
   No.116, South Street,
   Ariyakoshti, Parangipettai,
   Cuddalore District- 608 501.

..Appellants

Vs

1. The Deputy Superintendent of Police
   Chidambaram Police Division,
   Cuddalore District.

2. Station House Officer,
   Parangipettai Police Station,
   Cuddalore District.
   Crime No. 229 of 2026

3. Sivanandam
   No.915, Amman Koil Street,
   Karikuppam,
   C.Puthupettai Post,

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Bhuvanagiri Taluk,
Cuddalore District- 608 501.

..Respondent(s)

Prayer: Criminal Appeal filed under Section 14(A)(2) of the of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, r/w 489 of Cr.P.C. praying to call for the records and set aside the dismissal order dated 12-10-2026 passed by the learned Special Court for Trial of Cases under SC/ST (POA) Act, Cuddalore, in Crl.M.P.NO.197 of 2026 and enlarge the Appellants on bail in Crime No.229 of 2026 on the file of the Respondent Police.

For Appellant(s): Mr.G.Pugazhenthi

For Respondents-1 & 2: Ms.R.S.Indira
Additional Public Prosecutor
Assisted by
Mr.M.Arul Raj
Government Advocate (Crl. Side)

JUDGMENT

This Criminal Appeal has been filed seeking to set aside the order dated 12.10.2026 made in Crl.M.P.No.197 of 2026 on the file of the learned Sessions Judge, Special Court for Trial of Cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, Cuddalore and to enlarge the appellants on bail.

2. The appellants/Accused in Crime No.229 of 2026 were charged for offence under Sections 191(2), 296(b), 115(2), 351(2), 192, 196 of BNS r/w

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Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (PoA) Act. Pursuant to the directions of this Court in Crl.O.P.No.28232 of 2026, the appellants were surrendered before the Trial Court on 12.10.2026. Thereafter, they filed a bail application before the Trial Court in Crl.M.P.No.197 of 2026. The learned Sessions Judge, Special Court for Trial of Cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, Cuddalore, by the order dated 12.10.2026, dismissed the bail application, against which, the present appeal is filed.

3.Though notice has been ordered and served to the de facto complainant through police and also privately, there is no appearance or representation for the de facto complainant.

4.The case of the prosecution is that on 14.09.2026, the general public of the appellants' village and the members of the village panchayat took the Pillaiyar idol to Tahikkal, where they engaged in a road protest. The police officials intervened and pacified the crowd. Thereafter, the Pillaiyar idol was taken through the Karikuppam Public Road under police protection. The specific allegation against the appellants is that on the date of the occurrence, the appellants alleged to have insulted the de facto complainant using his caste name and subsequently assaulted and intimidated the school-going children of the village.

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5.The learned counsel for the appellant submitted that the appellants are innocent and they have been falsely implicated in the above case due to personal enmity between the parties. He further submitted that the appellants are ready to abide by any stringent condition that may be imposed by this Court and hence, prayed for grant of bail.

6.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that in this case, investigation is pending and hence, opposed for granting bail to the appellants.

7.Considering the nature of allegations and the period of incarceration undergone by the appellants, this Court is inclined to grant bail to the appellants.

8. Accordingly, the appellants are ordered to be released on bail subject to the following conditions;

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

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(b) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Judge may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the appellants shall appear before the respondent police, daily at 10.30 a.m. for a period of two weeks, thereafter as and when required for interrogation;

(d) The appellant shall not give any inconvenience or trouble knowingly or unknowingly to the third respondent, failing which, the bail shall be cancelled without any further reference.

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

(f) The appellant shall not abscond either during investigation or trial;

(g) The appellant shall not tamper with evidence or witness either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned 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];

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

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9. Accordingly, the impugned order dated 12.10.2026 made in Crl.M.P.No.197 of 2026 on the file of the learned Sessions Judge, Special Court for Trial of Cases under the SC/ST (POA) Act, Cuddalore, is set aside and the Criminal Appeal is allowed.

23-10-2026

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

To

1. The Sessions Judge,
   Special Court for Trial of Cases under the
   SC/ST (POA) Act, Cuddalore.

2. The Deputy Superintendent of Police
   Chidambaram Police Division,
   Cuddalore District.

3. The Station House Officer,
   Parangipettai Police Station,
   Cuddalore District.

4. The Public Prosecutor,
   High Court of Madras.

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N.RAMESH, J.

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