Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL A No. 1328 of 2026

CNR: {HCMA012560352026}

Srinivasan

..Appellant(s)

Vs

1. The State Rep. by
   The Deputy Superintendent of Police
   Chidambaram Police Station,
   Cuddalore District.

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

3. Sivanandam

..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. to call for the records and set aside the dismissal order dated 15.10.2026 passed by the Learned Special Court for Trial of Cases Under SC/ST(POA) Act, Cuddalore in Crl.M.P.No.194 of 2026 and enlarge the Appellant on bail in Crime No.229 of 2026 on the file of the Respondent Police.

For Appellant(s): Mr.G.Pugazhenthi

For Respondent(s): Ms.Sharada Vivek,
Additional Public Prosecutor
Asst. by Mr.Arul Raj for R1 and R2
Mr.P.Gowtham - Legal Aid Counsel
for R3

https://www.mhc.tn.gov.in/judis

WEB COPY

JUDGMENT

The appeal challenges the dismissal of the appellant's bail application filed in Crime No.229 of 2026 registered for the offences under Sections 191(2), 296(b), 115(2), 351(2), 192, 196 of the BNS, 2023 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC and ST(POA) Act, 1989.

2.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 insulted the de facto complainant on account of his caste and subsequently assaulted and intimidated the school-going children of the village. The appellant sought for bail before the trial Court, which came to be dismissed by the impugned order.

3.The learned counsel for the appellant would submit that the further incarceration of the appellant is not required for the purpose of investigation; that the appellant has been falsely implicated on account of prior enmity; that

https://www.mhc.tn.gov.in/judis

WEB COPY

the similarly placed co-accused were released on bail by this Court in Crl.A.No.1310 of 2026 by the order dated 23.10.2026.

4.Heard, the learned Legal Aid Counsel for the third respondent/defacto complainant, who confirms that the co-accused have been released on bail. He however, opposed the grant of bail as school children had been intimidated and humiliated on account of their caste.

5.The learned Additional Public Prosecutor reiterated the submissions made by the learned Legal Aid Counsel on behalf of the defacto complainant and opposed the grant of bail.

6.The appellant is in custody from 20.09.2026. Similarly placed co-accused have been released on bail in Crl.A.No.1310 of 2026 by the order dated 23.10.2026. This Court is of the view that further incarceration of the appellant is not required for investigation and hence, is inclined to grant bail to the appellant.

7. Accordingly, the appellant is ordered to be released on bail on 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,

https://www.mhc.tn.gov.in/judis

WEB COPY

each for a like sum to the satisfaction of the Special Court for Trial of Cases under the SC/ST (POA) Act, Cuddalore;

(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 appellant 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 appellant 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.

https://www.mhc.tn.gov.in/judis

WEB COPY

8. Accordingly, the impugned order dated 15.10.2026 made in Crl.M.P.No.194 of 2026 on the file of the learned Special Court for Trial of Cases under the SC/ST (POA) Act, Cuddalore, is set aside and the Criminal Appeal is allowed.

9. The High Court Legal Services Committee shall pay the scheduled fees to Mr.P.Gowtham, the learned Legal Aid Counsel for the third respondent.

29-10-2026

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

TSG

Note: Issue order copy on 29.10.2026.

https://www.mhc.tn.gov.in/judis

WEB COPY

SUNDER MOHAN, J.

TSG

To

1. The State Rep. by
   The Deputy Superintendent of Police
   Chidambaram Police Station,
   Cuddalore District.

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

3. The Special Court for Trial of Cases
   Under SC/ST(POA) Act, Cuddalore.

4. The Superintendent,
   Central Prison, Cuddalore.

5. The Public Prosecutor,
   Madras High Court.

CRL A No. 1328 of 2026

29-10-2026

https://www.mhc.tn.gov.in/judis