



Crl.A.(MD).No.18/2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated 25.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

Crl.A.(MD).No.18 of 2026

Muthu @ Muthukumar

..Appellant

Versus

1.The State of Tamil Nadu,
Represented by the Assistant
Commissioner of Police,
Perumalpuram Range,
Tirunelveli City.

2.State of Tamilnadu Rep by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
In Crime No.302/2024.

3.Muthukumar

.. Respondents

Prayer:- Criminal Appeal filed under Section 14-A(2) of the SC/ST (PoA) Act, to call for the records of the order passed in Cr.M.P.No.504 of 2025 in S.C.No.75 of 2024 on the file of the II Additional Sessions Judge, (PCR), Tirunelveli, dated 11.11.2025 and set aside the same and grant bail to the appellant in connection with the Crime No.302 of 2025 on the file of the second respondent.



Cr.L.A.(MD).No.18/2026

For Appellant : Mr.S.Srikanth
For R1 and R2 : Mr.B.Nambi Selvan,
Additional Public Prosecutor
For R3 : Mr.I.Pinayagash

JUDGMENT

This Criminal appeal is filed against the order passed in Cr.M.P.No.504 of 2025, dated 11.11.2025, by the learned II Additional District and Sessions Judge, PCR, Tirunelveli.

2. The case of the prosecution is that the appellant as the accused in Crime No.302 of 2024 for the offences punishable under Section 302 @ 147, 148, 341, 294(b), 302 IPC and Section 3(2)(va) of SC/ST (PoA) Act @ 147, 148, 341, 120(b), 302 IPC and Section 3(2)(va) of SC/ST (PoA) Act was remanded to judicial custody on 06.08.2024. Later, Charge Sheet was filed on 11.09.2024 and the trial Court had taken the same on file in S.C.No.75 of 2024. Thereafter, he was granted bail by the learned II Additional District and Sessions Judge, Tirunelveli, in Cr.M.P.No.3594 of 2024, vide order dated 14.10.2024. Since the petitioner did not comply with the conditions imposed



Crl.A.(MD).No.18/2026

on him, the trial Court cancelled the bail in Cr.M.P.No.3915 of 2024, dated 09.09.2025 and issued NBW pursuant to which he is in custody from 25.09.2025. Thereafter, the appellant filed the present petition seeking bail in Cr.M.P.No.504 of 2024. The trial Court, in its order dated 11.11.2025, observed that the petitioner was involved in similar offences in Crime Nos. 685 of 2023, 148 of 2023, 439 of 2022 and Crime No.533 of 2023, and that the appellant though released on bail in Cr.M.P.No.4812 of 2025 in connection with the Crime No.559 of 2025, on 01.11.2025, failed to comply with the conditional order passed by the learned II Additional Sessions Judge, Tirunelveli. The trial Court hence dismissed the said bail application. Challenging the said order, the present appeal has been filed.

3. The third respondent filed a detailed counter stating that the appellant was involved in the murder of his brother and so, he was charged for the offences under Sections 34, 120(B), 147, 148, 302 and 341 of IPC and Section 3(2)(v) of the SC/ST (PoA) Act, 1989, and that the case was now pending trial in S.C.No.75 of 2024 before the II Additional District and Sessions Court (PCR), Tirunelveli. The 3rd respondent contended that for continuous non-compliance of the bail conditions, the bail granted to the



Crl.A.(MD).No.18/2026

petitioner in Crl.MP.No.3594/2024 was cancelled and the petitioner was taken into custody and remains so since 25.02.2025. Thereafter, the appellant filed the present petition seeking bail in Cr.M.P.No.504 of 2024 before the II Additional District and Sessions Judge, Tirunelveli and the same was dismissed on 11.11.2025, on reasonable grounds. The 3rd respondent contended that due to the conduct of the appellant in not complying with the conditions imposed in the earlier bail petition and since there was a genuine apprehension that the petitioner would abscond, the appellant is not entitled to invoke the discretionary jurisdiction of this Court.

4. The learned Additional Public Prosecutor, submitted that the appellant is a habitual offender with criminal antecedents. Therefore, he prayed that this appeal may be dismissed as devoid of merits.

5. Today, the first respondent has filed a status report on the criminal antecedents of the appellant. It is seen from the report that the appellant is involved in the following cases:-



Crl.A.(MD).No.18/2026

S.No.	Crime No.	Police Station	Offences
1	439/2022	Melapalayam	341, 397 IPC
2	148/2023	Melapalayam	387, 334, 506(ii) IPC
3	685/2023	Melapalayam	8(c) r/w. 20(b)(ii)(B), 25 of NDPS Act
4	533/2023	Perumalpuram	294(b), 307, 506(ii) of IPC
5	559/2025	Kalakkad	2969(b), 118(1), 118(2), 109(1), 351(3) BNS

6. The learned Additional Public Prosecutor, further submitted that the appellant was also arrested in connection with the case in Crime No.559 of 2025 and was detained under Goondas Act in MHS.Confdl.No.115/2025 dated 03.09.2025, by the learned District Collector, Tirunelveli, on the recommendation of the Superintendent of Police, Tirunelveli District. The first respondent submitted that if the petitioner is enlarged on bail, he may abscond and tamper the witnesses. Hence, he prayed for dismissal of this appeal.

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



Crl.A.(MD).No.18/2026

8.The learned II Additional District and Sessions Judge, PCR Court, Tirunelveli, in the impugned order observed that in the present case there are 18 accused and the petitioner herein is arraigned as the 17th accused. Except A15, all other accused did not comply with the conditional bail order and therefore, the bail granted to them was cancelled and NBW was issued against them. The learned Judge observed that A2, A6, A9, A13 and A17 are in custody in this case and NBW is still pending against A1, A3 to A5, A7, A8, A10 to A12, A14, A16 and A18. This Court passed an order in Crl.O.P(MD) No.18690 of 2024, dated 05.03.2025, directing the Trial Court to dispose the case as early as possible. The trial Court taking into consideration the appellant's previous conduct and the aforesaid direction issued by this Court, refused to grant bail to the petitioner.

9.It is undisputed that this Court in Crl.O.P(MD) No.18690 of 2024, on 05.03.2025, passed an order directing the trial Court to dispose of the case in S.C.No.75 of 2024, as early as possible. Moreover, apart from the appellants' previous conduct in not complying with the bail conditions, the antecedents of the appellant reveal his involvement in several cases and



Crl.A.(MD).No.18/2026

therefore, this Court is not persuaded in granting bail to the appellant. This Court finds absolutely no infirmity or illegality in the order impugned and hence, finds no compelling reasons to interfere with the order passed by the learned II Additional District and Sessions Judge, Tirunelveli in Cr.M.P.No. 504 of 2025 in S.C.No.75 of 2024 dated 11.11.2025.

10.Hence, this Criminal Appeal is dismissed.

25.02.2026

Indu/AP

Index : Yes / No

Internet: Yes

Speaking Order / Non speaking order

NCC: Yes/No

To

1.The Assistant Commissioner of Police,
Perumalpuram Range,
Tirunelveli City.

2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.A.(MD).No.18/2026

N.MALA., J

Indu/AP

CRL A(MD). No.18 of 2026

25/02/2026