



CRLA(MD)No.120 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRLA(MD)No.120 of 2026

S.Mariyappan

...Appellant

Vs

**1.The State of Tamil Nadu,
The Deputy Superintendent of Police,
Pudukottai,
Pudukottai District.**

**2.The State of Tamil Nadu,
The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukottai District.
[Crime No.176 of 2018]**

3.Anjammal

... Respondents

PRAYER: Appeal filed under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, to call for the records relating to the order dated 12.01.2026 made in the CrMP(MD)No.6 of 2026 on the file of the Court of the Sessions Judge, Special Court for trial of cases under SC/ST Act, Pudukottai and set aside the same and allow this criminal appeal enlarging the appellant on bail.



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For Appellant : Mr.S.Gurumoorthy
For Respondent : Mr.S.Prakash,
Nos.1 and 2 Government Advocate
For Respondent : Mr.PR.Boomee Rajan
No.3

ORDER

The appellant is facing trial for the offence under Sections 294(b) and 336 of IPC r/w Section 391)(r), 3(1)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, in SplSC.No.136 of 2019 on the file of the Special Court for Trial of SC/ST (POA) Act Cases, Pudukottai.

2.The learned counsel for the appellant submits that the appellant was initially released on bail. However he was arrested on 19.09.2025 pending trial pursuant to the nonailable warrant of arrest issued as against him on 01.09.2025 for his non appearance on that particular day. According to him, on that particular date the bus in which he was proceeding to attend the court, got breakdown and therefore, he could not appear for hearing on 01.09.2025. For his



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absence, a NBW was issued against the appellant and he was arrested. The trial court without considering the same, dismissed the bail application filed by the appellant and he is in jail from 19.09.2025 for more than five months. Therefore, the learned counsel prayed to allow this appeal.

3.The learned Government Advocate appearing for the State submits that the case is posted for examination of PW6 on 10.04.2026.

4.The learned counsel appearing for the defacto complainant submits that the appellant is evading the trial.

5.This court considered the rival submissions made and perused the material placed on record.

6.Considering the period of incarceration of the appellant, his regular appearance before the trial court and the reasons assigned by



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him for his non appearance on a particular day, this court is inclined to allow this appeal. Accordingly, this appeal is allowed and the impugned order is set aside, with the following conditions:

(i) The appellant is ordered to be enlarged on bail on executing a bond for Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum, to the satisfaction of the Special Court for Trial of SC/ST (POA) Act Cases, Pudukottai.

(ii) The appellant shall file an affidavit before the respondent police that he will not misuse this liberty and will not indulge in any further offence.

(iii) The appellant shall report before the respondent police daily at 10.30 am.

(iv) If the appellant violates any of the conditions, the respondent police shall move an application to cancel the order granting bail to the appellant.

03.03.2026

DSK



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To

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- 1.The Deputy Superintendent of Police,
Pudukottai,
Pudukottai District.
- 2.The Inspector of Police,
Avudaiyarkovil Police Station,
Pudukottai District.
- 3.The Special Court for
Trial of SC/ST (POA) Act Cases,
Pudukottai.
- 3.The Superintendent,
District Jail, Pudukottai

Copy to

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



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B.PUGALENDHI.J.,

DSK

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