



CrI.A(MD)No.448 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED :27.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.A(MD)No.448 of 2026

Saranpandiyan

... Appellant

Vs

1.The State of Tamilnadu,
Rep by the Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi Sub Division,
Ramanathapuram District,
In Crime No.140/2023.

2.Mohammed Yousuf

... Respondents

PRAYER: Appeal filed under Section 14-A(1) of Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 2015 as amended by Act 1 of 2016, to call for records relating to the order in Cr.MP.No.58 of 2026, dated 25.02.2026, on the file of the Special Court for trial of cases registered under SC/ST (POA) Act, 1989, Ramanathapuram to the appellant as rights guaranteed by Constitutional by allowing this Criminal Appeal.



WEB COPY



Crl.A(MD)No.448 of 2026

For Appellant : Mr.M.Sangeethkumar
For R1 : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)
For R2 : No appearance

J U D G M E N T

The appellant is A8 in Spl.SC No.35 of 2023, on the file of the Special Court for SC/ST (POA) Act cases, Ramanathapuram. He failed to appear before the trial Court and therefore, a Non-bailable warrant of arrest was issued as against this appellant on 25.10.2025, based on which, he was secured on 17.02.2026 and since then, he is in jail. The bail application moved by the appellant before the Special Court for trial of cases registered under SC/ST (POA) Act, Ramanathapuram was dismissed, vide order, dated, 25.02.2026 in Cr.MP.No.58 of 2026, considering the conduct of this appellant in evading the trial and the stage of the trial. Therefore, the appellant is before this Court with this Criminal Appeal.



Crl.A(MD)No.448 of 2026

WEB COPY

2.Since the case in Spl.SC No.35 of 2023 has been registered for the offence under Sections 147, 341, 342, 365, 506(ii), 109 IPC including the offence under Sections 3(2)(va) of SC/ST Act, 2015, this Court, by its order, dated 17.04.2026 has ordered notice to the second respondent/defacto complainant. Though proof affidavit is filed, the second respondent has not appeared before this Court, either in person or through any counsel.

3.The learned Government Advocate (Crl.side) appearing for the respondent police submits that this appellant has evaded trial on 25.10.2025 and therefore, the case in Spl.SC No.35 of 2023 is pending at the stage of framing of charges, for want of accused. According to him, A3 & A5 in this case are also absconding. In the event, if this appellant is released on bail, there may be chances for absconding. He further submits that one previous case of similar in nature is pending as against this appellant.



Crl.A(MD)No.448 of 2026

WEB COPY

4.The learned counsel appearing for the appellant submits that A3 & A5 have been arrested on 25.04.2026 and therefore, the trial can now be proceeded.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.Admittedly, this appellant was released on bail pending trial and subsequently, he was arrested on 17.02.2026, pursuant to his absence and since then he is in jail. No one has injured in the occurrence took place in Crime No.140 of 2023. This appellant is arrayed as A8. Considering the period of incarceration and that the other accused/A3 & A5 are arrested, this Court is inclined to grant bail to this appellant. Though proof affidavit is filed, there is no representation for the defacto complainant and this appellant is arrested pursuant to the NBW issued by the trial Court and therefore, this Court is dispensing with the presence of the defacto complainant.



Crl.A(MD)No.448 of 2026

WEB COPY

7. Accordingly, this Criminal Appeal is allowed. The order passed by the learned Judge, Special Court for trial of cases registered under SC/ST (POA) Act, Ramanathapuram, in Cr.MP.No.58 of 2026, dated 25.02.2026 is hereby set aside. Since it is reported that the charges are yet to be framed, the appellant is ordered to be released on bail on the following stringent conditions:-

i) The appellant shall execute a bond for a sum of Rs.1,00,000/-(Rupees Fifty Thousand) with two sureties each for a like sum to the satisfaction of the learned Judge, Special Court for trial of cases registered under SC/ST (POA) Act, 1989, Ramanathapuram. The sureties must be respectable persons in the Society.

ii) The sureties shall file an affidavit of undertaking before the trial Court ensuring the availability of the appellant for the trial.

iii) The appellant and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;



Crl.A(MD)No.448 of 2026

WEB COPY

iv)The appellant shall appear before the trial Court daily at 10.30 a.m, until further orders.

v) The appellant shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The appellant shall co-operate for the trial.

vi) On violation of any of the above conditions by the appellant, the respondent police shall move an application for cancellation of the bail.

The learned Judge, Special Court for trial of cases registered under SC/ST (POA) Act, Ramanathapuram shall endeavour to proceed with the trial in Spl.SC No.35 of 2023, by framing charges as expeditiously as possible.

27.04.2026

NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.
vrn



CrI.A(MD)No.448 of 2026

WEB COPY

To

- 1.The Special Court for trial of cases registered under SC/ST (POA) Act, Ramanathapuram
- 2.The the Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi Sub Division,
Ramanathapuram District.
- 3.The Superintendent,
District Prison,
Ramanathapuram.



WEB COPY



Crl.A(MD)No.448 of 2026

B.PUGALENDHI, J.,

vrn

Judgment made in
Crl.A(MD)No.448 of 2026

27.04.2026