



CRL A(MD). No.519 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16.06.2026

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

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R.Aravindkumar

... Appellant

Vs

1.The Deputy Superintendent of Police,
Sivaganga Division,
Sivaganga District.

2.The Inspector of Police,
Kalayarkovil Police Station,
Sivaganga District.

3.Kalaiselvi

... Respondents

Prayer: Appeal filed under Section 14(A)(2) of SC/ST Act to call for the records pertaining to the order dated 15.04.2026 in Crl.M.P.No.83 of 2026 in Spl.S.C.No.44 of 2019 by the Special Court for SC/ST (POA) Act (PCR), Sivagangai and to set aside the same and enlarge the appellant on bail in connection with Crime No.194 of 2019 on the file of the second respondent Police by allowing this Criminal Appeal.

For Appellant : Mrs.P.Krishnaveni

For Respondents : Mr.V.Shathurthiraja,
Government Advocate (Crl. Side)
for R1 and R2



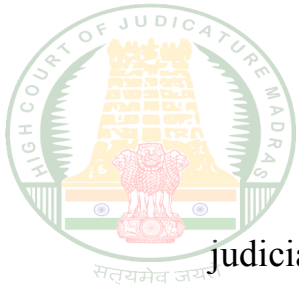
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JUDGMENT

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The appellant is facing trial before the Special Court for Exclusive Trial of SC/ST (POA) Act cases (PCR), Sivagangai, in Spl.S.C.No.44 of 2019 for the offences punishable under Sections 147, 148, 294(b) 302, 120-B and 34 IPC, and Section 3(2)(v) of the SC/ST (POA) Act. The appellant was arrested on 24.01.2026 pursuant to the Non-Bailable Warrant issued on account of his failure to appear before the Trial Court on 12.12.2025. The bail application filed by the appellant was dismissed vide order dated 15.04.2026 and, aggrieved by the said order passed in Cr.M.P. No.83 of 2026, the appellant has preferred the present appeal.

2. The learned counsel for the appellant submits that the appellant was originally granted bail by the Trial Court. However, the appellant failed to appear before the Trial Court on only one hearing date, as he was suffering from smallpox. The learned counsel further submits that the appellant's counsel before the Trial Court had also failed to file an appropriate petition seeking to condone his absence. Consequently, the Trial Court issued a Non-Bailable Warrant and the appellant was arrested on 24.01.2026. It is further submitted that the appellant has been in



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judicial custody for nearly six months. The learned counsel also submits that the appellant undertakes to appear before the Trial Court regularly in future.

3. The learned Government Advocate (Criminal Side) submits that Spl.S.C.No.44 of 2019 is posted on 17.06.2026 for examination of L.W. Nos.1 to 3. He further submits that the appellant has already filed a similar application before the Trial Court in Cr.M.P.No.135 of 2026.

4. In response to the submission of the learned Government Advocate regarding the application filed by the appellant before the Trial Court, the learned counsel appearing for the appellant submits that the said application was filed inadvertently and that the appellant would not press the same.

5. This Court has considered the rival submissions on either side.

6. The case relates to a grave offence punishable under Section 302 IPC and the final report was filed as early as in the year 2019. However,



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the trial has not commenced so far. It is now reported that the case stands posted on 17.06.2026 for examination of L.W.Nos.1 to 3. It is also seen that the appellant has already filed a similar application before the Trial Court. The Trial Court would be in a better position to assess the relevant circumstances and consider the request for grant of bail. Therefore, this Court is not inclined to entertain the present appeal.

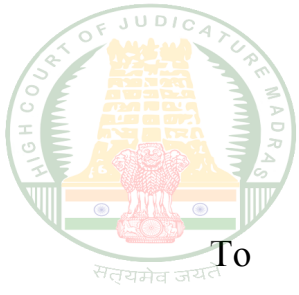
7. Accordingly, this Criminal Appeal is dismissed, granting liberty to the appellant to prosecute the application already filed before the Trial Court. The Trial Court shall consider the said application on its own merits and in accordance with law. If any fresh application is filed by the appellant after the examination and cross-examination of the eye-witnesses, the same shall also be considered on its own merits and in accordance with law.

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Index : Yes / No.

NCC : Yes / No.



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Sivagangai.
- 2.The Deputy Superintendent of Police,
Sivagangai Division,
Sivagangai District.
- 3.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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