



CRL A(MD). No.547 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.06.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL A(MD)No.547 of 2026

Viswa Bramma

... Appellant

Vs.

1. State of Tamil Nadu through
The Deputy Superintendent of Police,
Thanjavur Town,
Thanjavur District.

2. The Inspector of Police,
Medical College Police Station,
Thanjavur District.
(Cr.No.250/2024)

3. Sudha

... Respondents

Petition filed under Section 14A(2) of SC/ST (POA) Amended Act, 2015, seeking to set aside the order of the learned I Additional District and Sessions Judge (PCR), Thanjavur District, made in CrI.M.P.No.227 of 2026 dated 10.04.2026 and allow the present appeal.

For Appellant : Mr.B.Deepak



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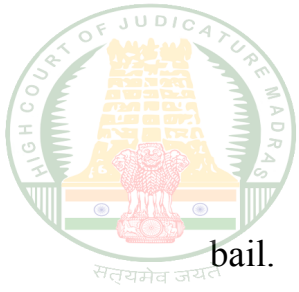
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For R1 and R2 : Mr.S.Deenadhayalan,
Counsel for State of Tamil Nadu
(Crl. Side)
For R3 : No appearance

JUDGMENT

The appellant, who is the 6th accused in Spl.S.C.No.124 of 2024 on the file of the learned I Additional District and Sessions Judge(PCR), Thanjavur District, was arrested on 19.03.2026 pursuant to a non-bailable warrant issued against him on 11.03.2026. He moved a petition for grant of bail before the trial Court in Crl.M.P.No.227 of 2026 and the same was dismissed by the trial Court, by order dated 10.04.2026. Aggrieved by that order, the present appeal has been filed.

2. The learned counsel appearing for the appellant submits that the appellant's counsel failed to follow up the hearing date and since he was not informed about the hearing dated by his counsel, he failed to appear before the trial Court on 11.03.2026 and therefore, a non-bailable warrant was issued as against the appellant. Further, the warrant was also executed within eight days and as such, the appellant has not absconded and evaded the trial and therefore, he must be considered for grant of



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bail.

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3. The learned counsel for State of Tamil Nadu (Crl. Side) submits that the appellant has evaded the trial on 11.03.2026 and failed to cross examine the witnesses, who were present before the trial Court. He further submits that the case was posted on 10.06.2026 for examination of L.W.3 to L.W.6 and so far, he has not cross examined any of the witnesses. Therefore, he opposed for grant of bail that in the event, if the appellant is released on bail, he may evade the trial.

4. The learned counsel for the appellant submits that the appellant is prepared to file an undertaking affidavit before this Court and before the trial Court that he would co-operate for trial by cross examining all the witnesses and he will not evade the trial proceedings in near future. To that effect, the appellant has also filed an undertaking affidavit stating that he would take necessary steps to cross examine all the witnesses within one month.

5. This Court considered the rival submissions made.

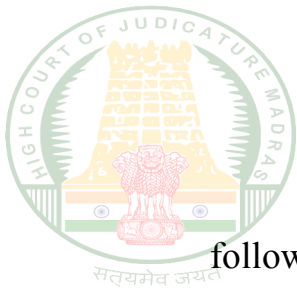


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6. The appellant along with other accused is facing trial before the trial Court for the offence under Section 103 BNS @ Section 61(2)(a), 191(2), 191(3), 296(b) and 103 BNS and Section 3(2)(v) of SC/ST (POA) Act. He was initially arrested in this case on 26.07.2024 and thereafter, he was released on bail by the trial Court in Crl.M.P.No.1064 of 2024 on 24.10.2024. Thereafter, he was arrested on 19.03.2026 pursuant to a non-bailable warrant issued on 11.03.2026. The appellant has not cross examined any of the witnesses so far. This case has been registered in the year 2024 and final report has also been taken on file in the year 2024. Since the appellant has now filed an undertaking affidavit that he would co-operate for trial by cross examining all the witnesses, this Court is inclined to grant bail to the appellant with certain conditions.

7. Accordingly, this Criminal Appeal is allowed and the order passed by the learned I Additional District and Sessions Judge (PCR), Thanjavur District, in Crl.M.P.No.227 of 2026, dated 10.04.2026 is hereby set aside. The appellant is ordered to be released on bail on the



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following conditions:-

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i) The appellant shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned I Additional District and Sessions Judge (PCR), Thanjavur.

ii) 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.

iii) The appellant shall appear before the trial Court daily until the cross-examination is over. The appellant shall co-operate for trial and also take necessary steps to recall the witnesses and to cross examine those witnesses without fail.

iv) The appellant shall not misuse the liberty granted to him.

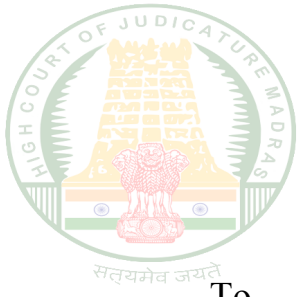
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Internet: Yes / No.

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To
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1. The I Additional District and Sessions Judge (PCR),
Thanjavur.
2. The Superintendent,
District Prison,
Pudukkottai.
3. The Deputy Superintendent of Police,
Thanjavur Town,
Thanjavur District.
4. The Inspector of Police,
Medical College Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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