



CRL A(MD). No.545 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.06.2026

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL A(MD)No.545 of 2026

Ramalingam

... Appellant

Vs.

1. State of Tamilnadu Rep by
The Deputy Superintendent of Police,
Thiruvidaimaruthur Sub Division,
Thanjavur District..

2. The Inspector of Police,
Thiruvidaimarudhur Police Station,
Thanjavur District.
Crime No.710 of 2023.

3. Sivavempu

... 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 Crl.M.P.No.241 of 2026 and allow the present appeal by enlarging the appellant on bail in SSC No.46 of 2024 on the file of the 2nd respondent Police.



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For Appellant : Mr.B.Deepak
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 sole accused in Spl.S.C.No.46 of 2024 on the file of the learned I Additional District and Sessions Judge(PCR), Thanjavur District, was arrested on 25.03.2026 pursuant to a non-bailable warrant issued against him on 16.03.2026. He moved a petition for grant of bail before the trial Court in Crl.M.P.No.241 of 2026 and the same was dismissed by the trial Court, by order dated 16.04.2026. 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 16.03.2026 and therefore, a non-bailable warrant was issued as against the appellant. Further, the warrant was also executed within nine days and as such, the appellant has not absconded



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and evaded the trial and therefore, he must be considered for grant of bail.

3. The learned counsel for State of Tamil Nadu (Crl. Side) submits that the appellant has evaded the trial on 16.03.2026 and failed to cross examine the witnesses, who were present before the trial Court. He further submits that the case was posted on 05.06.2026 for examination of L.W.14 to L.W.25 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.



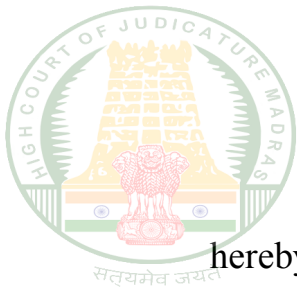
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5. This Court considered the rival submissions made.

6. The appellant is facing trial before the trial Court for the offence under Sections 294(b), 324, 307 and 302 IPC @ 294(b), 307, 302, 326 IPC r/w. Section 3(2)(va) of SC/ST (POA) Act. He was initially arrested in this case on 10.11.2023 and thereafter, he was released on bail by the trial Court in Crl.M.P.No.546 of 2024 on 12.06.2024. Thereafter, he was arrested on 25.03.2026 pursuant to a non-bailable warrant issued on 16.03.2026. The appellant has not cross examined any of the witnesses so far. This case has been registered in the year 2023 and final report has been taken on file only in the year 2024. Since the appellant is an octogenarian and he 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.241 of 2026, dated 16.04.2026 is



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hereby set aside. The appellant is ordered to be released on bail on the following conditions:-

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.

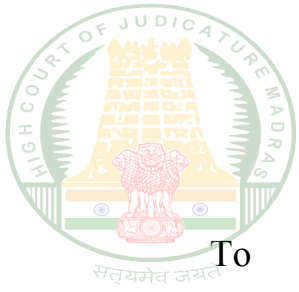
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To

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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,
Thiruvidadaimaruthur Sub Division,
Thanjavur District..
4. The Inspector of Police,
Thiruvidadaimarudhur 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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