

Crl.A(MD)No.668 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A(MD)No.668 of 2026

Balamurugan @ Balaji

... Petitioner

Vs.

1.State of Tamil Nadu,
rep by the Deputy Superintendent of Police,
Koyyaimpattinam,
Pudukottai District.

2.The State of Tamil Nadu,
Rep by the Inspector of Police,
Aavudayarkovil Police Station,
Thanjavur District.
[Crime No.96 of 2025]

3.Priya

... Respondents

Prayer: Petition filed under Section 14 -A(2) of the SC/ST Act to call for the records relating to the order of dismissal of bail application dated 28.04.2026 made in CrIMP.No.113 of 2026 on the file of the Special Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Pudukottai and to set aside the same and enlarge the appellant on bail in connection with crime no.96 of 2025 on the file of the 2nd respondent police by allowing the criminal appeal.



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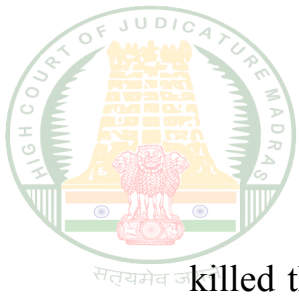
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For Appellant	: Mr.B.Anandan
For Respondent	: Mr.V.Shathurthi Raja
Nos.1 and 2	Government Advocate
For Respondent	: Mr.Ramasamy
No.3	Legal Aid Counsel

ORDER

The appellant is accused No.9 in SplSC No.32 of 2025 on the file of the Special Court for Trial Court SC/ST(POA) Act Cases. He was arrested on 08.09.2025. Therefore, he filed a petition seeking bail before the trial court in Cr.MP.No.113 of 2026 and the same was dismissed on 28.04.2026. Challenging the same, this appeal is filed.

2.The case of the prosecution is that there was enmity between the defacto complainant family and one Kalidass @ Koolu, friend of accused No.1, in respect of purchase of a two wheeler of a distant relative of the deceased Kannan, one Suryaprabhu, who died in an accident. The defacto complainant's husband Kannan demanded more money than the sale price, which lead to a wordy altercation between the deceased and accused No.1 and therefore, accused No.1 and his friends criminally intimidated the deceased. Pursuant to a criminal conspiracy hatched by the accused on 24.07.2025, accused Nos.1 to 8 with deadly weapons brutally



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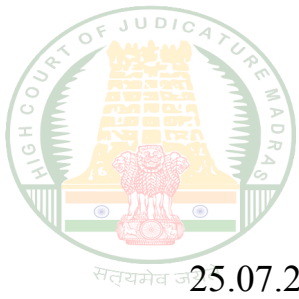
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killed the said Kannan and his cousin Karthick and that the other accused, including the appellant allegedly assisted the prime accused.

3.Though the defacto complainant was served, there was no representation for the defacto complainant. Therefore, this court appointed Mr.S.Ramasamy, Advocate, who is having 32 years of practice as legal aid counsel to represent the defacto complainant.

4.The learned counsel for the appellant submits that the case has been registered as against the appellant for the offence under Sections 191(2), 191(3), 103(2), 351(3), 49, 54, 296(B), 61(2)(a) of BNS r/w Section 3(1)(r), 3(1)(s), 3(2)(Va) and 3(2)(V) of SC/ST (POA) Act. He further submits that the appellant belongs to the scheduled caste, however, he is also charged for the offence under the SC/ST (POA) Act.

5.According to him, the occurrence took place on 24.07.2025, the complaint was lodged on the same day, eight named accused were mentioned in the first information report and all the eight accused were arrested on the next day. The confession statement has been recorded on



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25.07.2025. However this appellant has been implicated just prior to the filing of the final report based on the confession statement. According to him, apart from the confession statement, there is no other material as against this appellant. Though the appellant also belongs to the scheduled caste, the respondent police has mechanically filed the final report implicating this appellant based on the confession statement of accused No.1. Therefore, he seeks bail.

6.The learned legal aid counsel appearing for the defacto complainant submits that the appellant has filed this appeal seeking bail for the 2nd time and the earlier appeal filed by this appellant in CrlA(MD)No.1214 of 2025 was dismissed by this court on 27.11.2025. There is no change in circumstances. By supplying weapons, this appellant has assisted the prime accused in the commission of the offence. Therefore, he opposes bail to the appellant.

7.The learned Government Counsel appearing for the respondent police opposes bail to the appellant that this appellant had supplied weapons to the main accused for the commission of offence and therefore, the appellant is not entitled for bail.



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8.This court has considered the rival submissions made.

9.The case was registered on 24.07.2025 under the provisions of the SC/ST (POA) Act. Admittedly, this appellant belongs to the scheduled caste and therefore, the final report was filed as against this appellant deleting the offence under the provisions of the SC/ST (POA) Act. The appellant has been implicated only in the final report dated 23.09.2025 based on the confession statement of the accused No.1, when the confession statement of the accused No.1 was recorded on 25.07.2025. In view of the above and considering the available materials, this Court is inclined to grant bail to this appellant, however, with certain conditions.:

(i) The appellant is ordered to be enlarged on bail on executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with two sureties each for a like sum to the satisfaction of the learned Special Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Pudukottai.

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

(iii) The appellant shall appear before the trial court daily at 10.30am, until further orders.



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(iv) If the appellant changes his residence, the same shall be informed to the respondent police immediately with correct address.

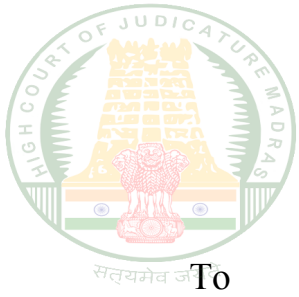
(v) If the appellant violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

10. In the result, this appeal is allowed and the order dated 28.04.2026 passed in CrlMP.No.113 of 2026 by the learned Special Sessions Judge, Special Court for Trial of SC/ST (POA) Act cases, Pudukottai is set aside.

11. This court places its appreciation to the learned legal aid counsel Mr.S.Ramasamy, for effectively representing the case of the defacto complainant. The Legal Services Authority is directed to pay a sum of Rs.10,000/- [Rupees Ten Thousand] to the legal aid counsel.

25.06.2026

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To

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- 1.The Special Sessions Judge,
Special Court for Trial of SC/ST (POA) Act cases,
Pudukottai.
- 2.The Deputy Superintendent of Police,
Koyyaimpattinam,
Pudukottai District.
- 3.The Inspector of Police,
Aavudayarkovil Police Station,
Thanjavur District.
- 4.The Superintendent,
Sub Jail, Pudukottai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 6.The Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.,

DSK

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