



Crl.A(MD)No.639 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Michael Jovin @ Jovin

... Petitioner

Vs.

1.State of Tamil Nadu,
through the Deputy Superintendent of Police,
North Police Station
Thoothukudi District,

2.The Inspector of Police,
North Police Station,
Thoothukudi District.
(Crime No.294 of 2025)

3.Senthoor Pandi

... Respondents

Prayer: Petition filed under Section 14 -A(2) of the SC/ST Act to set aside the order passed in CrMP.No.119 of 2026, dated 22.05.2026 on the file of the Exclusive Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi and enlarge the appellant on bail.

For Petitioner : Mr.KA.Raamakrishnan

For Respondent : Mr.V.Moushica

1 and 3 Government Advocate

For Respondent : Mr.Senthoor Pandi

No.3 Party – in person



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ORDER

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This criminal appeal is filed by the accused No.4 in SC.No.36 of 2025 on the file of the Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi as against the dismissal of the bail application of the appellant filed in CrMP.No.119 of 2026 by order dated 22.05.2026.

2.The appellant was arrested on 24.04.2025 that the appellant along with 3 other accused committed murder of 3rd respondent's son one Thangaraja @ Raja. The accused and the deceased are fishermen and they had dispute with regard to fishing and on account of that there was some incident and as a counter blast, this case has been foisted. The appellant has filed a petition before the trial court seeking bail and the same was dismissed by the trial court on 22.05.2026 in CrIMP.No.639 of 2026. Challenging the same the present appeal has been filed.

3.The learned counsel for the appellant submits that there is no specific overt act as against the appellant. This appellant is not having any motive as against the deceased. However, he has been arrested and remanded into judicial custody. According to him the appellant is in jail for



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more than 1 year. The learned counsel for the appellant submits that investigation in this case is completed and almost all the witnesses have been examined. Even then the appellant is in jail continuously for more than 1 year and hence the appellant shall be considered for grant of bail.

4.The learned Government Counsel appearing for the respondent police submits that there was an incident wherein the appellant and other accused had attacked one Yusuf, a friend of the deceased, which was questioned by the deceased and therefore, the accused had committed murder. As many as 30 injuries have been identified by the postmortem doctor on the deceased. The overt act as against the appellant is that he along with A1 to A3 were present in the scene of occurrence with weapon and attacked the deceased indiscriminately.

5. The learned Government counsel submits that there was threat to the witnesses PWs.1,3 and 4, complaints have been lodged before the respondent police and the cases have been registered as against A2 along with his family members in Crime No.791 of 2025 on the file of the Thoothukudi South PS, in Crime No.583 of 2025 on the file of the



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Thalamuthunagar PS, in Crime No.20 of 2026 on the file of the Thalamuthunagar PS and Crime No.514 of 2026 on the file of the Thoothukudi North PS. She further submits that except the Inspector of Police and the investigating officer, all other witnesses have been examined.

6.The defacto complainant is present before this court and submits that in the event the appellant is released on bail, he may exert threat to him.

7.This court has considered the rival submissions made.

8.The appellant was arrested and remanded to judicial custody on 24.04.2025. He is in jail for more than 14 months. The investigation in Crime No.294 of 2025 has been completed and final report has been filed and taken on file in SC.No.36 of 2025. All the witnesses expect the official witnesses have been examined. Prolong confinement would not serve any purpose and at the same time, the appellant must be provided with an opportunity to defend the case effectively.



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9. Considering the overt act attributed as against the appellant and his period of incarceration, stage of the trial, 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 Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi.

(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 respondent police daily at 10.30 am and 5.00 pm except on the hearing dates before the trial court. He should appear before the trial court on all the hearing dates.

(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.



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10.In the result, this appeal is allowed and the order passed by the learned Special Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi. CrMP.No.119 of 2026, dated 22.05.2026 is set aside.

22.06.2026

DSK

To

- 1.The Special Judge,
Special Court for Trial of Cases
under SC/ST (POA) Act, Thoothukudi.
- 2.The Deputy Superintendent of Police,
North Police Station
Thoothukudi District,
- 3.The Inspector of Police,
North Police Station,
Thoothukudi District.
- 4.The Superintendent,
Central Prison,
Thoothukudi.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.,

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