



CRL A(MD)No.643 and 655 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 23.06.2026

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL A(MD)No.643 and 655 of 2026

Santhosh ... Appellant
in CrlA(MD)No.643 of 2026

Gopalakrishnan ... Appellant
in CrlA(MD)No.655 of 2026

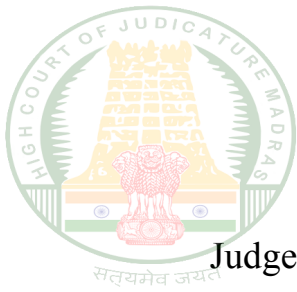
Vs.

1.The State of Tamil Nadu rep by
the Deputy Superintendent of Police,
Viralimalai Police Station,
Pudukottai District.
[Crime No.180 of 2026]

2.The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
[Crime No.180 of 2026]

3.Nagaraj ... Respondents

Appeals filed under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, to call for the records pertaining to the order dated 20.05.2026 in CrlMP.No.152 of 2026 and 21.05.2026 in CrlMP.No.156 of 2026 on the file of the Special Sessions



CRL A(MD)No.643 and 655 of 2026

Judge (FAC), Special Court for Trial of Cases under SC/ST (POA) Act, Pudukottai and set aside the same and enlarge the appellant in connection with Crime No.180 of 2026 on the file of the 2nd respondent police by allowing these criminal appeals.

For Appellant : Mr.T.Eashwar
in CrlA(MD)No.643 of 2026
: Mr.P.Aju Tagore
in CrlA(MD)No.655 of 2026
For R1 and R2 : Mr.V.Moushica,
Government Advocate (Crl. Side)
in both Appeals
For R3 : Ms.M.Ashwini
Legal Aid Counsel
in Crl A(MD)No.643 of 2026
: Mr.R.Mohana Sundaram
in Crl A(MD)No.655 of 2026

JUDGMENT

The appellants are accused Nos.3 and 4 in crime No.180 of 2026 on the file of the 2nd respondent police and they were arrested on 18.05.2026 and are in jail now. These appeals are filed as against the order dated 20.05.2026 in CrlMP.No.152 of 2026 and 21.05.2026 in CrlMP.No.156 of 2026 by the learned Special Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Pudukottai dismissing the bail petitions filed by the appellants.



CRL A(MD)No.643 and 655 of 2026

2.The case of the prosecution is that on 01.05.2026 when the defacto complainant and the deceased were travelling in a two wheeler on Viralimalai – Keeranur road near Thayagam Kaapakam, an unidentified four wheeler dashed against them and consequently the deceased succumbed to injuries on the way to hospital and the defacto complainant has sustained injuries.

3.The learned counsel for the appellants submit that the appellants are innocents and they have not committed any offence. They have been implicated based on the confessions statement recorded from accused No.1 and except a call from their phone to A4, there is no other material to connect these appellants with the offence. The appellants are in jail for 40 days. Therefore, they seek bail.

4.There was no representation for the defacto complainant in CrlA(MD)No.643 of 2026 on 17.06.2026. Since this case is registered for the offence under Sections 103(1) and 109 of BNS r/w Section 3(2)(va) of SC/ST (POA) Act, this court appointed Ms.M.Ashwini, Advocate, as legal aid counsel to represent the case on behalf of the defacto complainant.



CRL A(MD)No.643 and 655 of 2026

5.Mr.R.Mohana Sundaram, learned counsel entered appearance for the defacto complainant in CrlA(MD)No.643 of 2026.

6.The learned legal aid counsel and the learned counsel for the defacto complainant submits that it is a case of cold blooded murder and projected as a hit and run accident. Accused No.1 has given confession statement that accused No.3 and the deceased had previous motive and therefore, accused No.3 had engaged accused Nos.1,2 and 4 to kill the deceased. They further submit that without the involvement of accused No.4 by informing the activities of the deceased to accused No.1, this murder would not have taken place. The defacto complainant has no motive with any of the accused, however, he sustained grievous injuries and was admitted as an inpatient in the Government Hospital. Even assuming that if it is a hit and run accident, it is an offence under Section 106 of BNS, when death is caused by negligence. The appellants along with A2 have acted in tracking and communicating the movements of the deceased and the defacto complainant to accused No.1.

7.This court has considered the rival submissions made.



CRL A(MD)No.643 and 655 of 2026

WEB COPY

8.The case in Crime No.180 of 2026 has been registered for the offence under Sections 103(1) and 109 of BNS r/w Section 3(2)(va) of the SC/ST (POA) Act. One Sivagnanam and the defacto complainant were travelling in a two wheeler on 01.05.2026 and at that point of time, the deceased was killed due to an unidentified four wheeler dashed against them and the defacto complainant sustained injuries on his right leg and right hand. On the complaint of the defacto complainant the said case was registered. The respondent police during the course of investigation identified the offending vehicle as TATA Ace and it was used by accused No.1 with bogus registration number and accused No.1 has given confession statement that accused No.4 had watched the movements of the deceased and has informed him and thereafter he has committed this offence. The investigation agency has collected some materials that there were certain calls made among the accused through WhatsApp and they have taken steps to collect those details and awaiting the same.

9.Considering the stage of investigation and the nature of offence, this court is not inclined to grant bail to the appellants and accordingly, the appeals are dismissed.



CRL A(MD)No.643 and 655 of 2026

10.This court places its appreciation to the learned legal aid counsel Ms.M.Ashwini, 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.

23.06.2026

DSK

To

- 1.The Special Sessions Judge,
Special Court for Trial of Cases
under SC/ST (POA) Act,
Pudukottai.
- 2.The Deputy Superintendent of Police,
Viralimalai Police Station,
Pudukottai District.
- 3.The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
[Crime No.180 of 2026]
- 4.The Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CRL A(MD)No.643 and 655 of 2026

B.PUGALENDHI, J.

DSK

CRL A(MD)No.643 and 655 of 2026

23.06.2026