



CRL A(MD). No.705 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.06.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL A(MD)No.705 of 2026

Manimuthu.M

... Appellant

Vs

1.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.

2.The Inspector Of Police,
Thiruppachethi Police Station,
Sivagangai District.

3. Sanjaykumar

4. Muneeshwaran

... Respondents

Prayer:

Criminal Appeal filed under Section 14A(2) of SC/ST (POA) Act, 1989 as amended by Act 1 of 2016, to call for the records relating to the order of dismissal of bail application dated 13.05.2026 in Cr.M.P.No.121 of 2026 on the file of the learned Additional District and Sessions Court for the exclusive trial PCR Act Cases, Sivagangai and to set aside the same and enlarge the appellant on bail in connection with the Crime No.148 of 2021 on the file of the second respondent Police by allowing this Criminal Appeal.



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For Appellant : Mr.Balamurugan.R

For Respondents : Mrs.V.Moushica,
Government Advocate (Crl. Side)
for R1 and R2
No appearance for R3 & R4

JUDGMENT

The appellant is the third accused (A3) in Crime No.148 of 2021 on the file of the first respondent Police, registered for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of the IPC and Sections 3(1)(r) and 3(1)(s) of the SC/ST (POA) Act. The final report was filed in the year 2021 and the case was taken on file by the Trial Court in Spl.S.C.No.23 of 2021. While so, the appellant failed to appear before the Trial Court on 06.11.2025. Consequently, a Non-Bailable Warrant (NBW) was issued against him and he was secured on 13.11.2025. Considering the antecedents of the appellant, the earlier appeal filed by him before this Court in CrI.A.(MD)No.1362 of 2025 was dismissed on 24.02.2026 and another appeal in CrI.A.(MD)No.422 of 2026 was dismissed on 21.04.2026. This is the third appeal before this Court.



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2. The case of the prosecution is that on 14.06.2021 at about 06.20 p.m., when the defacto complainant was riding a two-wheeler near Mathur Kanmai Bridge, the appellant and the other accused intercepted him, abused him in filthy language and assaulted him with a wooden log. On coming to know of the incident, the brother of the defacto complainant rushed to the spot and questioned the accused, whereupon the accused assaulted him with a knife, causing grievous injuries. Hence, the case.

3. The learned counsel appearing for the appellant submitted that the appellant had originally been granted bail by the Trial Court and that his failure to appear before the Trial Court on 06.11.2025 was neither wilful nor deliberate. According to the learned counsel, the appellant could not appear on the said date as his counsel had failed to inform him about the hearing. He further submitted that the appellant had not absconded and was secured from his residence on 13.11.2025, within a week of the issuance of the NBW. Since then, the appellant has been in judicial custody. Referring to the earlier orders of this Court, the learned counsel submitted that the prosecution had objected to the grant of bail



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on the ground that the appellant was involved in 16 criminal cases.

However, according to him, in the list of cases referred to in the order dated 21.04.2026 passed in Crl.A.(MD)No.422 of 2026, serial numbers 1 and 13 relate to the same case, and similarly, serial numbers 4 and 16 also overlap. He further submits that the appellant is not an accused in Crime No.14 of 2021 on the file of Thiruppachethi Police Station, as mentioned at serial number 11. Therefore, according to the learned counsel, only 13 cases are pending against the appellant.

4. The learned Government Advocate appearing for respondents 1 and 2 submitted that the appellant had failed to appear before the Trial Court and was therefore secured pursuant to the NBW issued against him. She has also produced a fresh list of criminal cases pending against the appellant and submitted that he is involved in 16 cases.

5. Since the present case has been registered under the provisions of the SC/ST (POA) Act, this Court directed issuance of notice to the defacto complainant. Though notice was sent, the defacto complainant did not appear.



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6. On the earlier occasion, the learned counsel appearing for the appellant submitted that the defacto complainant was in abroad. Accordingly, by an earlier order, this Court directed the learned Government Advocate to ascertain whether the defacto complainant was in India or abroad.

7. Today, the learned Government Advocate submitted that the defacto complainant is presently not in India.

8. It is seen that considering the nature of the offence and the allegations against the appellant, the Trial Court had earlier granted bail to him. However, he was again secured on 13.11.2025, within a week of the issuance of the NBW on 06.11.2025. The appellant has now been in custody from 13.11.2025 for a period of seven months.

9. At this juncture, the learned counsel appearing for the appellant gave an undertaking that the appellant would regularly appear before the Trial Court on all hearing dates.



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10. In view of the above undertaking and also considering the period of incarceration undergone by the appellant, this Court is inclined to allow this criminal appeal.

11. Accordingly, this Criminal Appeal is allowed and the order passed by the learned Sessions Judge, Additional District and Sessions Court for the exclusive trial PCR Act Cases, Sivagangai in Crl.M.P.No. 121 of 2026, dated 13.05.2026 is 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.25,000/- (Rupees Twenty Five Thousand) only with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Additional District and Sessions Court for the exclusive trial PCR Act Cases, Sivagangai. Out of two sureties, one must be a Government Servant.

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;



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iii) The appellant shall report before the respondent police daily at 10.30 a.m., until further orders.

iv) On violation of any of the above conditions by the appellant, the respondent police shall move an application for cancellation of the bail.

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Index : Yes / No.

NCC : Yes / No.

To

1. The learned Sessions Judge,
Additional District and Sessions Court
for the exclusive trial PCR Act Cases,
Sivagangai.

2. The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.

3. The Inspector Of Police,
Thiruppachethi Police Station,
Sivagangai District.

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

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B.PUGALENDHI, J.

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