

Jayasurya Vs The State of Tamilnadu

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Court : Chennai

Decided On : Jul-01-2026

Judge : Honourable Mr Justice B.Pugalendhi

Appeal No. : CRL A(MD)/719/2026

Appellant : Jayasurya

Respondent : The State of Tamilnadu

Judgement :

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT Dated :
01.07.2026

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI CRL A(MD)No.719 of 2026
Jayasurya ... Appellant Vs.

1. State of Tamil Nadu, Deputy Superintendent of Police, Soolakkarai Police Station, Virudhunagar.
2. The State of Tamil Nadu, The Inspector of Police, Soolakkarai Police Station, Virudhunagar.
3. Subbulakshmi,

Village Administrative Officer, Meesaloor, Virudhunagar. ... Respondents Appeal filed under Section 14A(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended by Act 1/2016, to set aside the order dated 06.06.2026 made in CrI.M.P.No. 124 of 2026 on the file of the Special Court for Trial of SC/ST (POA) Act Cases, Virudhunagar District at Srivilliputtur and enlarge the

appellant on bail in Crime No.129 of 2026 on the file of the 2nd respondent Police. For Appellant : Mr.R.Balakrishnan For R1 and R2 : Mr.V.Shathurthi Raja, Government Advocate (CrI. Side) For R3 : Mrs.Subbulakshi, Party-in-person

JUDGMENT

The appellant is the 3rd accused in Crime No.129 of 2026 on the file of the 2nd respondent Police, registered for the offence under Sections 61(2), 190, 191(1), 193(3), 103(1), 238 of BNS and Section 3(1)(v) of Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015. He was arrested on 29.04.2026 that he along with the accused Nos.1 and 2 committed the murder of the deceased one Muthuraman. The bail petition moved by this appellant before the Special Court for Trial of SC/ST (POA) Act Cases, Virudhunagar District at Srivilliputtur, in CrI.M.P.No.124 of 2026 was dismissed, by

order 06.06.2026. Aggrieved over the same, this Criminal Appeal has

been filed seeking bail.

2. The learned counsel appearing for the appellant submits that this

appellant is innocent and he has been falsely implicated in this case, based on the confession statement of the accused Nos.1 and 2. According to him, the appellant was in jail from 11.04.2026 in connection

with Crime No.82 of 2026 and the case in Crime No.129 of 2026 was registered only on 12.04.2026, however, he has been implicated in this case as an accused along with the accused Nos.1 and 2.

3. The learned counsel for the appellant further submits that the

appellant was apprehended on 11.04.2026, suspecting his role in connection with the case in Crime No.82 of 2026. However, this case itself has been registered by receiving a complaint from the Village Administrative Officer on 12.04.2026. Though there was no material as against the appellant, on 11.04.2026, they have foisted a case as if the appellant was in possession of 100 grams of ganja. The learned counsel further submits that the appellant's mother has submitted various representations to the higher officials and only thereafter, the appellant was released from NDPS case. Subsequently, this case has been foisted

against the appellant on 22.04.2026 and immediately thereafter, he was arrested on 29.04.2026 in connection with the case in Crime No.129 of 2026 and he is in jail from then. Therefore, the learned counsel submits that the appellant is having a good case and therefore, he may be considered for bail.

4. The learned Government Advocate (Crl. Side) submits that this

appellant along with the accused Nos.1 and 2 was present in the scene of occurrence at the time of commission of murder of the deceased. The deceased is a history sheeted rowdy and he assured that he will arrange for bail for the accused Nos.1 and 2. However, the deceased failed to get bail for accused Nos.1 and 2. Therefore, the accused Nos.1 and 2 had a motive against the deceased. The appellant is the friend of the the 2nd accused. The 2nd accused is a ganja seller and the appellant is a drug user. In order to help the 2nd accused, the appellant was present along with the accused Nos.1 and 2 and committed the murder. The CDR data collected by the investigating agency also disclosed the presence of the appellant along with the accused Nos.1 and 2 at the time of occurrence.

He further submits that the investigation is yet to be completed. Apart from this case, the appellant is involved in the following cases.

(i) FIR No.293/2020 - u/s. 147, 34, 436, 506(i) IPC - pending trial

(ii) FIR - 129/2026 - u/s.103(1), 190, 191(2), 191(3), 328 and 61(2) of BNS - under investigation.

(iii) FIR No.178/2020 - u/s. 188 and 270 IPC - referred

(iv) FIR No.14/2020 - u/s. 110(e) Cr.P.C. - disposed

(v) FIR No.82/2026 - u/s. 20(b)(ii)(A), 8(c) of NDPS Act and 77 of Juvenile Justice Act.

(vi) FIR No.241/2020 - u/s.75(1)(c) TNCP Act - disposed. Therefore, he opposed to grant bail to the appellant.

5. This Court considered the rival submissions made and perused the materials placed on record.

6. The deceased, a history sheeted rowdy, was found dead in a

suspicious circumstances on 12.04.2026 and witnessed by the Village Administrative Officer. Based on the complaint given by the Village Administrative Officer, this case has been registered against unknown persons. The accused Nos.1 and 2 were arrested on 29.04.2026 and on the same day, this appellant was also arrested, based on the confession statement of the accused Nos.1 and 2. Admittedly, the appellant was in jail from 11.04.2026 till 22.04.2026 in connection with Crime No.82 of

2026. Insofar as the antecedent of the appellant is concerned, some of

the cases registered under Section 75(1)(c) of TNCP Act and Section 110(e) Cr.P.C. are also shown as antecedent. Considering the available materials and the period of incarceration undergone by the appellant, this Court is inclined to grant

bail.

7. Accordingly, this Criminal Appeal is allowed and the order

dated 06.06.2026 made in CrI.M.P.No.124 of 2026 on the file of the Special Court for Trial of SC/ST (POA) Act Cases, Virudhunagar District at Srivilliputtur, 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) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for SC/ST (POA) Act, Virudhunagar at Srivilliputtur. 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 respondent Police daily at 10.30 a.m. until further orders and co-operate for investigation. iv) The appellant shall not misuse the liberty granted to him by indulging in any further offence. v) On violation of any of the above conditions by the appellant, the respondent police shall move an application for cancellation of the bail.

01.07.2026 ogy Index : Yes / No. Internet: Yes / No. NCC : Yes / No. To

1. The Sessions Judge, Special Court for SC/ST (POA) Act, Virudhunagar at Srivilliputtur.
2. The Superintendent, District Jail, Dindigul.
3. The Deputy Superintendent of Police, Soolakkarai Police Station, Virudhunagar.
4. The Inspector of Police, Soolakkarai Police Station, Virudhunagar.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

B.PUGALENDHI, J.

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