

**IN THE COURT OF THE JUDGE
SPECIAL COURT FOR SC/ST (POA) ACT, MANNARKKAD.**

Present : Sri. Jomon John, Judge.

Thursday 07th day of May, 2026

Crl. M.P. No. 02/2026 In SC.No. 826/2018

Sanju S/o Kumaran, aged 41 years,
Maruthamkuzhi (H), Angadippuram, Perinthalmanna.
(Rep. by. Adv. Sri. C. Showkath Ali).

Petitioner/Accused

Vs.

State Represented by the Deputy Superintendent of Police,
Shornur.
(Rep.by the Public Prosecutor).

Respondent/Complainant

ORDER

This is a second bail application filed U/s. 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the accused/petitioner in this crime.

2. The petitioner is the accused in this case. However, he received no process from the court ever since. He could not attend the court as he was in abroad in connection with his employment. Therefore, his absence was not deliberate. The offences alleged against the petitioner are punishable U/s. U/s.326(A), 307, 153 of IPC and Section 3(2) (v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989. (In short, herein after, “the SC/ST (POA) Act”). However, he is totally innocent. The petitioner is the sole breadwinner of his family. In the event of granting bail to the petitioner, he is ready to abide by any conditions. Hence, petitioner prays for bail.

3. Prosecution allegation is that the petitioner/accused is a member of an upper caste. The de facto complainant is a member of a Scheduled Caste. The accused somehow made an illicit intimacy with the wife of the de facto complainant. Therefore, in order to do away the de facto complainant with, the accused poured acid on the neck and chest of the defacto complainant on 07-06-2017 in which the de facto complainant was severely wounded. On the basis of the First Information Statement, police registered FIR for the offences punishable U/s.326(A), 307, 153 of IPC and Section 3(2) (v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989.

4. Prosecution filed an objection contending the following:- After the commission of the above crime, the petitioner/accused absconded to abroad. The Investigation Officer

submitted a final report in the absence of the accused. Later the case was removed as LP-25/2022 and NBW was Issued. Lookout notice was also issued against the accused. Things being so, the accused/petitioner landed at Bangalore Airport. But he was arrested on 20-09-2025 by Pookkottupadam Police in an another crime. When the petitioner was remanded to judicial custody in the said case, production warrant was issued against him. Upon his production on 23-09-2025, the accused was arrested and remanded. Later, upon his arrest and production, case was renumbered as SC-826/2018.

5. In fact, the accused submerged after the alleged occurrence. Later, the Investigation Officer was constrained to file a final report even without the arrest of the accused.

6. The petitioner is the accused in Cr.No.38/2016, U/s. 457 and 380 r/w 34 of the Indian Penal Code Pookkottupadam Police Station. He is also the accused in Cr.No.684/2017 of Sreekrishnapuram Police Station U/s. 452 and 324 of IPC and Section 3(2) (va) of the SC/ST (POA) Act. The accused attacked the de facto complainant, after he making intimacy with the wife of the injured. After committing the grave offences, the accused absconded and left India without cooperating with the investigation and trial. He had a habit of violent behaviour while he was at his native place. Therefore, if the petitioner is released on bail, there is every likelihood of his flee from justice. Besides that, his presence in the society would cause threat and hardship to the peaceful life of the injured.

7. The petitioner/accused has been absconding for a period of seven years from the 2018. Later, he was arrested from the Bangalore Airport on the basis of a lookout notice issued in the year 2018.

8. Heard both sides.

9. On 22-10-2025, the first bail application filed by the petitioner was dismissed by this court. The said order was challenged before the Hon'ble High Court. But it was negatived by the order the Hon'ble High Court in CRL.A.No. 2001/2025 dated 27-11-2025. Again, the petitioner preferred a special leave appeal before the Hon'ble Supreme Court. But it was also dismissed on 23-04-2026 with a remark as follows:- *"As the petitioner is in custody, we would request the trial court to expedite the trial to the extent possible"*.

10. From the report submitted by the Police, it is perceived that the accused/petitioner was arrested from the Bangalore Airport on the strength of a lookout notice. He is in judicial custody since 23-09-2025. After the remand of the accused, prosecution filed an application

seeking permission for further investigation which was allowed. The petitioner was given to the police custody for the purpose of completion of the investigation.

11. It is gainsaid that the petitioner is the accused in SC-825/2018 in which he is facing prosecution for the offences U/s. 452, 324 of IPC along with Section 3(2) (va) of SC/ST (POA) Act. From the report submitted by the prosecution, the petitioner is also facing prosecution in an another crime alleging the offences punishable U/s. 457 and 380 r/w 34 of IPC. It is needless to say that in both the above cases, the petitioner is facing prosecution on grave allegations. In all these cases, the petitioner submerged after the alleged occurrences. Therefore, it implies that petitioner has no respect to law and justice. Therefore, if the petitioner is released on bail, it may facilitate him to flee from justice. In such an eventuality, the justice could not be delivered properly and the victim will remain remediless. The whole investigation and trial would remain as a mockery before the society. Therefore, I am inclined to think that petitioner deserves no leniency in the matter of his personal liberty. Originally, there are all together 13 Case Witnesses in this case. Therefore, if the further investigation report is received, the trial against the petitioner could be completed within three months.

12. It is evident from the prosecution records that the petitioner committed a heinous crime by pouring acid on the de facto complainant. Though it was argued by the learned counsel for the petitioner that there was no mention about name of the accused in the FIR, it is inclined to think that the mere absence of the name in the FIR cannot be considered as a ground to take a lenient view in favour of the petitioner. Besides that, the previous conduct of the petitioner also stands against him. Therefore, I am inclined to think that if the petitioner is released on bail, there is every likelihood of his absconding, the even which would lead to a situation denying justice to the de facto complainant.

13. Having regard to the above circumstances, it is held that it is not a fit case to grant bail to the petitioner. Hence, the bail application is dismissed.

In the result, the second bail application is dismissed.

(Pronounced by me in Open Court on this the 07th day of May, 2026)

Judge,
Special Court for SC/ST (POA) ACT
Mannarkkad

**Fair/Copy of Order
in CMP-02/2026
in SC.No.826/2018
Dated: 07.05.2026**