



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.28395 of 2025

1.A.Prabakaran

2.A.Rajeshwari

... Petitioners

Versus

1.The Deputy Superintendent of Police,
Cuddalore,
Cuddalore District.

2.State rep by its,
Inspector of Police,
Cuddalore O.T Police Station,
Cuddalore.
Cr.No.448 of 2025

3.Thenmozhi

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on anticipatory bail in the event of arrest by the respondent police in Crime No.448 of 2025 on the file of the respondent police.

For Petitioners	:	Mr.H.Manojin for Mr.A.T.Anbukumar
For Respondent	:	Mr.S.Udaya Kumar, Government Advocate (Crl. Side)



ORDER

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The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 296(b), 115(2) of BNS Act 2023, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and under Section 3(1)(r), 3(1)(s), 3(2)(va) of SC & ST (Prevention of Atrocities Act, 1989) in Crime No.448 of 2025, seek anticipatory bail.

2.The allegation against the petitioners is that they harassed the defacto complainant on communal grounds, threatened her and abused her by calling her caste name. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the first petitioner is the husband and the 2nd petitioner is the mother-in-law of the defacto complainant. He further submitted that the case has been registered based on false allegations made by the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the offences registered under SC/ST Act was invoked in this case. Therefore, in view of the bar under Section 18A of the SC/ST Act, the petition for anticipatory bail is not maintainable. Hence, he opposes for the grant of



anticipatory bail to the petitioners.

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5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. On perusal of the FIR, it is seen that the allegations include caste discrimination and insults the defacto complainant by calling her caste name. The averments made in the FIR prima facie attract the provisions of the SC/ST (Prevention of Atrocities) Act. Hence, the present anticipatory bail petition is not maintainable.

7. Accordingly, this Criminal Original Petition is dismissed.

17.10.2025

drl

To

1. The Deputy Superintendent of Police,
Cuddalore,
Cuddalore District.

2. The Inspector of Police,
Cuddalore O.T Police Station,
Cuddalore.

3. The Public Prosecutor,
High Court, Madras.

K.RAJASEKAR, J.



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