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CRL OP No. 2274 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2274 of 2026

1. Ashok Kumar
2. Rajesh
3. Harivarasan
4. Rajadhurai
5. Manikandan
6. Dhanavel
7. Umaiyan
8. Annadhurai

..Petitioner(s)

Vs

1. The Deputy Superintendent of Police
Office at Kallakurichi,
Kallakurichi District.
2. The State Represented by Inspector of Police
Keezhkuppam Police Station,
Kallakurichi District.
Crime No. 12/2026.

3. Shankar

..Respondents



Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to grant Anticipatory Bail to the petitioners in Crime No.12 of 2026 on the file of Keezhkuppam Police Station.

For Petitioner(s): Mr. A.Pooraniputhiran

For Respondent(s): Ms.J.R.Archana, for R1 And R2

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3), 324(2) of BNS, 2023 read with Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in connection with the Cr.No.12 of 2026, seek anticipatory bail.

2. The case of the prosecution is that while the de-facto complainant was consuming liquor along with his friends inside a school campus, the petitioners, along with other accused went there, abused the de-facto complainant by referring to his caste name, and assaulted them. Hence, the FIR was registered.

3. The learned counsel for the petitioners submitted that petitioners are innocent, the allegations regarding caste-based insults are false and have been added purely to defeat the petitioners' right to seek anticipatory bail. He further produced a copy of the FIR to support his contention and prayed for grant of



anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution's case and vehemently opposed the grant of anticipatory bail to the petitioners, stating that there are specific allegations of caste-based slurs which attract the special provisions of the the Scheduled castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

5. This Court has perused the FIR and it is alleged that when the de-facto complainant was inside the school premises, the petitioners abused him by calling his caste name and threatened him. Since there is prima facie material to show that the petitioners used caste-based slurs, this Court is of the view that the anticipatory bail petition is not maintainable, since there is a specific statutory bar under Section 18 and 18-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, which precludes the exercise of jurisdiction under Section 482 of BNSS for such offences.

6. Hence, this Criminal Original Petition is dismissed.

JAI

02-02-2026



To

1. The Deputy Superintendent of Police
Office at Kallakurichi,
Kallakurichi District.
2. The Inspector of Police
Keezhkuppam Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

JAI

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