



Crl.O.P.No.2494 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2494 of 2026

Benedict Charle

...Petitioner

Vs.

1. The Assistant Commissioner of Police,
Hasthampatty Range, Salem City.
2. The Sub-Inspector of Police,
AWPS Ammapet Police Station,
Salem City.
Crime No.01 of 2026
3. Esther Baby

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C, to direct the Special Court for Trial of cases under SC and ST (PoA) Act, Salem, Salem District to consider the bail petition on the same day in Crime No.01 of 2026 on the file of the Sub-Inspector of Police, AWPS Ammapet, Salem City for offence u/s 498 (A) Indian Penal Code, Section 4 of the Prohibition of Harassment of Women Act, 2002 and Section 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 for the interest of justice.

For Petitioner : Mr.B.Vasudevan

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1 & R2



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ORDER

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This criminal original petition has been filed seeking a direction to the Special Court for Trial of cases under SC and ST (PoA) Act, Salem, Salem District, to accept the surrender of the petitioner and to consequently, consider his bail petition on the same day, on merits, in connection with Crime No.01 of 2026 on the file of the 2nd respondent.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Court for Trial of cases under SC and ST (PoA) Act, Salem, Salem District, to consider the petitioner's bail application, preferably on the same day of his surrender, in connection with Crime No.01 of 2026 on the file of the 2nd respondent-police and to pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. The petitioner shall surrender before the jurisdictional Court within a period of fifteen days from the date of receipt of a copy of this order.



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3. In view of the above, this criminal original petition stands allowed.

04.02.2026

skt

Index : Yes/No
Speaking Order : Yes/No
NCC : Yes/No

To

1. The Special Judge for Trial of cases under SC and ST (PoA) Act, Salem, Salem District.
2. The Assistant Commissioner of Police, Hasthampatty Range, Salem City.
3. The Sub-Inspector of Police, AWPS Ammapet Police Station, Salem City.
4. The Public Prosecutor, High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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