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CRL OP No. 5205 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5205 of 2026

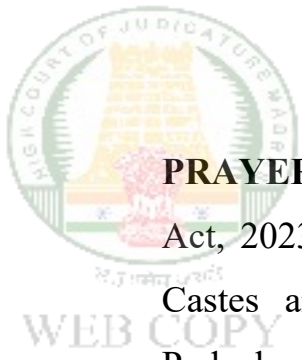
1. Sengutuvan
S/o.Seeraanan Allias Kuppuswamy,
No.04, Veeraraghava Thottam,
School Street, Govindasalai,
Puducherry.
2. Siva Alias Elango
S/o.Ranganathan,
No.42, Bharathipuram,
Govindasalai, Odiansalai, Puducherry.
3. Pazhani
S/o.Ranganathan,
No.31, Bharathipuram,
Govindasalai, Odiansalai, Puducherry.

..Petitioner(s)

Vs

1. The State Rep by,
The Deputy Superintendent of Police,
PRC Cell Police Station Range,
Puducherry District and State.
2. The Inspector of Police,
PRC Cell Police Station,
Puducherry District.
Cr.No.01/2025
3. R.Shanmugasundaram
S/o.Rajkumar,
No.04, D-1 Block,
Kandoctor Thottam,
Priyadharshini Nagar,
Puducherry, Dhanvantri Nagar (D.NAGAR),
PUDUCHERRY.

..Respondent(s)



PRAYER – This Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to direct the Special Court For Exclusive Trial of The Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989, Puducherry to consider the petitioners' bail application on the same day of his surrender in Crime No.01 of 2026 pending on the file of the 2nd respondent police.

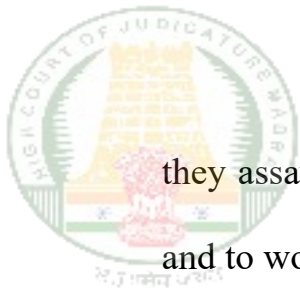
For Petitioner(s): M/s.C.R.GOKULVISVAS

For Respondent(s): Mr.M.V.Ramachandra Murthy,
Public Prosecutor (Puducherry)
(For R1 & R2)

ORDER

This Criminal Original Petition has been filed seeking a direction to the Special Court For Exclusive Trial of The Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989, Puducherry, to consider the bail application of the petitioners herein in Crime No.01 of 2026, on the file of the 2nd respondent police, on the same day of their surrender.

2.It is seen from the FIR that the de-facto complainant had lodged a complaint as though the incident occurred on 22.04.2025, between 8.00 p.m. to 8.30 p.m. at Ulagamuthu Mariamman Temple, a day before the Kumbabishegam festival of the said temple. On the evening, when the de-facto complainant attempted to enter the temple, the petitioners had wrongfully restrained the de-facto complainant from entering the temple for the reason that the de-facto complainant belongs to Scheduled Case community. It is stated that



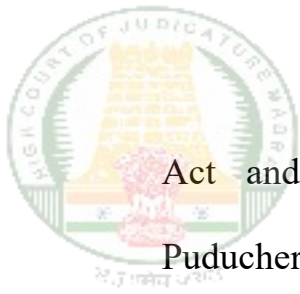
they assaulted the de-facto complainant and denied right of entry to the temple and to worship. Hence, the case.

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3.The learned Public Prosecutor (Puducherry), who accepts notice for the respondents 1 and 2 submitted that the de-facto complainant had sent the complaint by post on 17.05.2025, along with a pen-drive. Thereafter, the complaint was enquired and it was found that the de-facto complainant raised objection with regard to non-printing of the name of the DMK candidate who lost the election and insisted printing of the said candidate's name and also quarreled for not inviting him for the Kumbabishegam festival. Later, the enquiry was concluded on 22.09.2025, as false. Thereafter, a petition under Section 156(3) of Cr.P.C. before the Special Court for SC/ST cases and the present FIR came to be registered.

4.Heard the learned counsel on both sides and perused the entire materials available on record.

5.In this background, 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 Sessions Judge/ Special Court for Exclusive Trial of cases under SC/ST (PoA)



Act and The Scheduled Tribes (Prevention of Atrocities) Act, 1989, Puducherry, to consider the petitioners bail application, preferably on the same day of their 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 petitioners shall surrender before the jurisdictional Court within a period of fifteen days from the date of receipt of a copy of this order.

6. The Criminal Original Petition stands disposed of accordingly.

10-03-2026

Index: Yes/No

Speaking/Non-speaking order

GSA

To

1. The State Rep by,
The Deputy Superintendent of Police,
PRC Cell Police Station Range,
Puducherry District and State.
2. The Inspector of Police,
PRC Cell Police Station,
Puducherry District.
3. The Public Prosecutor,
High Court of Madras.
4. The Sessions Judge,
Special Court for Exclusive Trial of cases under
SC/ST (PoA) Act and The Scheduled Tribes
(Prevention of Atrocities) Act, 1989,
Puducherry,



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M.NIRMAL KUMAR, J.

GSA

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