



Crl.O.P. No. 5060 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2026

CORAM:

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

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1. Logeshwari
2. Murthi
3. Malathi
4. Abi @ Abirami
5. Kuppusamy @ Periyasami
6. Soundarraaj

..Petitioners

Vs.

1. State rep. by
The Deputy Superintendent of Police,
Salem Rural (Yercaud Zone)
Salem District.
2. The Inspector of Police,
Yercaud Police Station,
Salem District.
(Crime No. 40 of 2026)

3. Thamilarasu

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to
direct the Special Court for Trial of Cases under SC/ST (POA) Act, Salem to



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accept the surrender of the petitioners and to consider the bail petition on the same day in Crime No. 40 of 2026 on the file of the 2nd respondent Police.

For Petitioners :: Mr. C. Deepak Kumar

For Respondents :: Mr. Leonard Arul Joseph Selvam
Addl. Public Prosecutor for R1 & R2
Mr.L. Ramanathan for R3

O R D E R

This Criminal Original Petition has been filed seeking a direction to the Special Court for Trial of Cases under SC/ST (POA) Act, Salem to accept the surrender of the petitioners and to consider the bail petition on the same day in Crime No. 40 of 2026 on the file of the 2nd respondent Police.

2. The case of the prosecution is that the 1st petitioner and the 2nd respondent are husband and wife and theirs was an inter-caste marriage. They have a one year old female child out of the said wedlock. Disputes arose between the spouses regarding obtaining a birth certificate for the child as they belonged to different communities, i.e, the de facto complainant wanted the certificate to be issued containing his community name, which was objected to by the 1st petitioner resulting in marital discord due to which the 1st petitioner left her matrimonial home along with the



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child. When the de facto complainant went to meet the child, the 1st petitioner and her family members are said to have abused him using his caste name. Hence, the complaint.

3. According to the learned counsel for the petitioners, the petitioners have nothing to do with the alleged offences and that it was the de facto complainant, who went to the house of the 1st petitioner and picked up a wordy quarrel with the petitioners. According to him, a false case has been foisted upon the petitioners.

4. Heard the learned Additional Public Prosecutor for respondents 1 and 2 and learned counsel for the 3rd respondent and perused the materials on record.

5. The issue primarily is that the de facto complainant insisted that the community certificate of his child has to contain his community's name, which was objected to by the 1st petitioner and her family members resulting in dispute between the parties.

6. In view of the above factual position, there shall be a direction to the Special Court for Trial of Cases under SC/ST (PoA) Act, Salem to consider the petitioners' bail application, preferably on the same



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day of their surrender, in connection with Crime No.40 of 2026 on the file of the second 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 concerned within a period of fifteen days from the date of the receipt of a copy of this order.

7. The Criminal Original Petition stands disposed of accordingly.

05.03.2026

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WEB COPY To

1. The Special Court for Trial of Cases under
SC/ST PoA Act .
Salem.
2. The Deputy Superintendent of Police,
Salem Rural (Yercaud Zone)
Salem District.
3. The Inspector of Police,
Yercaud Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



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M. NIRMAL KUMAR,J.

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