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CrI.O.P.No.5028 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.5028 of 2026

1.K. Sasikumar

2.N. Ramesh

... Petitioners

Vs.

1.State rep., by
The Deputy Superintendent of Police,
Tiruchengode,
Namakkal District.

2.The Sub Inspector of Police,
Nallur Police Station,
Namakkal District.
(Crime No.22 of 2026).

3.Vijaya

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to direct the learned District and Sessions Judge, Special Court for Trial Cases under SC/ST Act (POA) Namakkal to consider their bail application on the surrender of the petitioners / accused on the same day in connection with Crime No.22 of 2026 dated 16.02.2026 on the file of the respondent police on merits on the same day.

For Petitioners : Ms. A. Pramila

For Respondents: Mr. Leonard Arul Joseph Selvam, for R1 & R2
Additional Public Prosecutor



ORDER

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The Criminal Original Petition has been filed seeking a direction to the District and Sessions Judge, Special Court for Trial Cases under SC/ST Act (POA) Namakkal, to consider the bail application filed by the petitioners on their surrender in connection with Crime No.22 of 2026 on the file of the 2nd respondent police on the same day.

2. The petitioners / A1 and A2 in Crime No. 22 of 2026 for the offences under Sections 296(b), 351(2) of BNS, 2023 r/w 3(1)(w)(ii) of SC/ST (POA) Act, 1989 have filed this petition seeking a direction to consider their bail application on the same day of their surrender.

3. The contention of the petitioners is that the defacto complainant in this case had taken a loan from them. Though she had agreed to repay the loan amount, she defaulted in repayment and shifted her residence to the distant place without informing the petitioners. The petitioners, after making efforts to trace her, found that she was residing elsewhere. When they demanded repayment of the money, the present complaint has been projected as though the petitioners, on 11.02.2026 at about 8.10 p.m., came to the

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house of the defacto complainant, abused her by calling her caste name and also threatened and assaulted her. Hence, the present petition has been filed.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2, submitted that the defacto complainant lodged a complaint on 16.02.2026, stating that the 1st petitioner who is a financier, had given a loan of Rs.8,000/- to the defacto complainant six months prior to the complaint. For the first three months, she repaid a portion of the loan amount, but thereafter she defaulted in repayment. He also submitted that the defacto complainant had also shifted her residence from Nallur to Pudur without informing the petitioners.

4.1. Thereafter, the petitioners made a search and found the defacto complainant. On 11.02.2026, the petitioners allegedly went to her house on a bike, abused her, assaulted her and also called her by her case name. Hence, a complaint was lodged. Based on the said complaint, an FIR has been registered and the investigation is in progress.



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5. Considering the fact that the defacto complainant had taken a loan from the 1st petitioner, who is a financier, and that there has been a default in repayment of the said loan, for which the petitioners had demanded repayment.

6. In view of the above, there shall be direction to the District and Sessions Judge, Special Court for Trial Cases under SC/ST Act (POA) Namakkal to consider the bail application of the petitioners preferably on the same day of their surrender in connection with Crime No.22 of 2026.

7. Accordingly, this Criminal Original Petition stands allowed.

04.03.2026

Neutral Citation: Yes/No

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Crl.O.P.No.5028 of 2026

M.NIRMAL KUMAR, J.

AT

To

1.The District and Sessions Judge, Special Court for Trial Cases under SC/ST Act (POA) Namakkal.

2.The Deputy Superintendent of Police,
Tiruchengode,
Namakkal District.

3.The Sub Inspector of Police,
Nallur Police Station,
Namakkal District.

4.The Public Prosecutor,
High Court of Madras.

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