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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2026

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

CRL.O.P. No. 5822 of 2026

N.E. Sathiyandham

..Petitioner

Vs.

1. The State,
rep. by Deputy Superintendent of
Police,
Gudiyatham, Vellore District.

2. The State rep. by
Inspector of Police,
Gudiyatham Police Station,
Vellore District,
Crime No. 78 of 2026.

3. Akash

..Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS to
issue a direction to the Principal District and Sessions Judge, Vellore, to
consider the petitioner's bail application on surrendering before the Court on



the same day in Crime No. 78 of 2026 pending investigation on the file of the 2nd respondent.

For Petitioner :: Mr.N. Sudharsan

For Respondent :: Mr. Leonard Arul Joseph Selvam
Addl. Public Prosecutor for
R1 & R2
No appearance for R3

O R D E R

This criminal original petition is filed for a direction to the Principal District and Sessions Judge, Vellore, to consider the petitioner's bail application on surrendering before the Court on the same day in Crime No. 78 of 2026 pending investigation on the file of the 2nd respondent.

2. The case of the prosecution is that on 27.02.2026, at about 11a.m., when the de facto complainant/3rd respondent herein was doing earth work in MKP Street, the petitioner/A1 along with other co-accused is said to have entered the place, abused the de facto complainant by using his caste name and attacked him. Hence, the complaint.



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3. According to the learned counsel for the petitioner, as regards the same occurrence, a complaint has also been lodged by the petitioner before the 1st respondent on 27.02.2026 stating that the 3rd respondent herein along with four others, tried to attack him and threatened him with dire consequences, besides damaging the Scorpio Car bearing Registration No. TN 23 G 16277, which is a Government Vehicle and the 2nd respondent registered the case in counter in Crime No. 79 of 2026 for the offences under Sections 296(b), 324(3), 49, 451(3) of BNS against the 3rd respondent herein and four others. Learned counsel would submit that the petitioner is innocent and he has been falsely implicated in this case.

4. Heard the learned Additional Public Prosecutor and perused the materials on record.

5. The 3rd respondent/de facto complainant was informed about the pendency of the above case. Though a counsel has been engaged, there is no representation.



6. It is seen that in this case, the petitioner is A1 and it is a case and counter. As regards A2 to A4, the Lower Court had granted bail in CrI.M.P. No. 100 of 2026 by order dated 06.03.2026.

7. In view of the above factual position, there shall be a direction to the Special Court for SC/ST (PoA) Act cases, Vellore to consider the petitioner's bail application, preferably on the same day of his surrender, in connection with Crime No.78 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 petitioner 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.

8. It is brought to the notice of this Court by the learned counsel for the petitioner that the appropriate Court to consider the petitioner's bail application would be the 'Special Court for SC/ST (PoA) Act cases, Vellore' and not as stated in the prayer. Hence, the above



direction has been issued to the said Court.

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The Criminal Original Petition stands disposed of accordingly.

16.03.2026

nv

To

1. The Special Court for SC/ST
(PoA) Act cases, Vellore.
2. The Deputy Superintendent of
Police,
Gudiyatham, Vellore District.
3. The Inspector of Police,
Gudiyatham Police Station,
Vellore District.
4. The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR,J.

nv

Crl.O.P. No. 5822 of 2026

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