



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6165 of 2026

1. K.Thanthaiguru
S/o.Kuppusamy,
Rice Mill Street,
Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.
2. E.Sarath Kumar
S/o.Elumalai,
Rice Mill Street,
Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.
3. A.Tamilselvan
S/o.Annadurai,
115, Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.
4. D.Kumar
S/o.Devarayan,
2/510, Murugan Kovil Street,
Earikkurai,
Senneerkuppam,
Poonamallee,
Tiruvallur,
Tamilnadu-600 056.
5. Kumar (Alias) P.Premkumar
S/o.Pandurangan,
No.144.
Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.



6. Selvi (Alias) Tamizhselvi
W/o.Radhakrishnan,
No.155, Road Street,
Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.

7. E.Rajakumari
W/o.Elumalai,
Rice Mill Street,
Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.

8. E.Ramesh (Alias) Kanthavel
S/o.Elumalai,
31, Rice Mill Street,
Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.

9. Ramadass
S/o.Attu (Alias) Krishnan,
Mariamman Kovil Street,
Chinnagaram Village,
Gingee Taluk,
Villupuram District-604 210.

..Petitioner(s)

Vs

1. State rep. by
The Deputy Superintendent of Police,
The Office of Deputy Superintendent of Police,
Gingee, Villupuram District-604 202.
2. State rep.by,
The Inspector of Police,
Valathy Police Station,
Gingee Taluk,
Villupuram District-604 208.
(Crime No.65 of 2026)



3. Poongavam
S/o.Kuppan,
No.128, Road Street,
Chinnagaram Village,
Gingee Taluk,
Villupuram district-604 210.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS Act, 2023 to direct the learned Special Judge for SC and ST (PoA) Act, District and Sessions Court, Villupuram to accept the surrender of the petitioners and consequently consider the bail petition of the petitioners on the same day in Cr.No.65/2026 on the file of the Inspector of Police, Valathy Police Station (R2) and to pass any other suitable order as this Honble Court.

For Petitioner(s): Mr.A.Inbasekaran

For Respondent(s): Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor for R1 and R2

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Special Judge for SC and ST (PoA) Act, District and Sessions Court, Villupuram, to consider the bail application of the petitioners herein in Crime No.65 of 2026 on the file of the Inspector of Police, Valathy Police Station, Gingee Taluk, Villupuram District, on the same of their surrender.

2. The case of the prosecution is that the 1st petitioner / accused gave a representation to the District Collector, Villupuram praying that free house site



patta to be deserving persons may be granted in S.No.37 of the village, but not in respect of S.No.39/1, which is being used as a temple purpose public land for several centuries. Since the petitioners have been continuously taking legal steps to bring back the temple purpose public land for public purposes which was allotted to the defacto complainant and 6 others persons, he had given a complaint against the petitioners stating that they had abused and threatened the defacto complainant by using the communal status.

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

4. Considering the submission made and on perusal of the materials it is seen that the defacto complainant and seven others who are the victims had lodged a complaint to the police stating that the petitioners who are from the same village causing objections to the defacto complainant. Serious allegations have been made against the petitioners that the defacto complainant who belongs to Irular Community have been threatened and abused. The defacto complainant had been allotted the land under the ***Pradhan Mantri Janjati Adivasi Nyaya Maha Abhiyan Scheme (PM JANMAN SCHEME)***, which cannot be taken lightly.



5. In view of the above factual position, there shall be a direction to the learned Special Judge for SC and ST (PoA) Act, District and Sessions Court, Villupuram, to consider the petitioners' bail application, preferably on the same day of their surrender, in connection with Crime No.65 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.

6. The Criminal Original Petition stands disposed of accordingly.

10-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

mtl



To

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1. State rep. by
The Deputy Superintendent of Police,
The Office of Deputy Superintendent of Police,
Gingee,
Villupuram District-604 202.
2. State rep. by,
The Inspector of Police,
Valathy Police Station,
Gingee Taluk,
Villupuram District-604 208.
3. The Public Prosecutor, High Court Madras.



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CRL OP No. 6165 of 2



M.NIRMAL KUMAR, J.

mtl

CRL OP No. 6165 of 2026

10-03-2026

**CrI.O.P.No.6165 of 2026****M. NIRMAL KUMAR,J.**

Today, this matter is listed under the caption “For being mentioned” at the instance of the learned counsel for the petitioners.

2. It is brought to the notice of this Court by the learned counsel for the petitioners that the name of the 3rd respondent has been wrongly mentioned as “Poongavam” instead of “Poongavanam” in the cause title of the order dated 10.03.2026 made in CrI.O.P.No.6165 of 2026.

3. The learned Additional Public Prosecutor for the respondents 1 and 2 raises no objection and confirms the same.

4. This Court has verified the records and is convinced with the submission made by the learned counsel for the petitioners.

5. In the light of the above, Registry is directed to substitute the name of the 3rd respondent as “Poongavanam” in the place of “Poongavam” in the cause title of the order dated 10.03.2026 in CrI.O.P.No.6165 of 2026.



6. Except the same, all other aspects shall remain intact.

7. Registry is directed to make necessary correction and issue a fresh order copies to the parties at the earliest.

13.03.2026

Jd

Note: Issue order copy on 13.03.2026.



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M. NIRMAL KUMAR,J.
jd

Crl.O.P.No.6165 of 2026

13.03.2026

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