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CRL OP No. 9834 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9834 of 2026

1. Venkadesan
2. Sivakumar
3. Sushila Venkadesan
4. Govindaraj
5. Sangeetha

..Petitioner(s)

Vs

State rep by
Inspector of Police,
Bargur Police Station, Bargur,
Krishnagiri 635 104.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Sessions Judge, Special court for SC/ST (POA) Act, Krishnagiri to consider the petitioners' bail application on the same day of their surrender in connection with Cr.NO.94/2026 dated 31.03.2026 on the file of the respondent police.

For Petitioner(s): Mr. IV. Kabilan

For Respondent(s): Mr. Leonard Arul Joseph Selvam
Additional Public Prosecutor

**ORDER**

This Criminal Original Petition has been filed, seeking a direction to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Krishnagiri to consider the petitioners' bail application on the same day of their surrender in connection with Cr.No.94 of 2026 dated 31.03.2026 on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for respondent.

3. Considering the submissions made by the learned counsel on either side and upon perusal of the materials available on record, it appears that the complaint is purely civil in nature, arising out of a long-standing civil dispute between the petitioners and the de facto complainant with respect to a pathway in the property comprised in Survey Nos.15 and 159. In this context, it is alleged that wordy quarrel between the parties, during which the petitioners abused the de facto complainant by uttering her caste name, humiliated her on the ground of caste, and criminally intimidated her and her family members with threats to kill. It is further alleged that such acts of harassment have been continuing for the past four years. Hence, a case in Crime No.94 of 2026 has been registered under Sections 191(2), 296(b), 324(2), 351(2) of BNS 2023 and Sections 3(1)(r), 3(1)(s) and 3(2)(Va) of SC/ST (Prevention of Atrocities)



Amendment Act, 2015.

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4. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent and also perused the materials available on record.

5. 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 jurisdictional Court, to consider the petitioners' bail application, preferably on the same day of his surrender, in connection with Crime No.94 of 2026 on the file of the 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. Accordingly, this Criminal Original Petition stands allowed.

20-04-2026

Neutral Citation: Yes/No
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To

1. Inspector of Police,
Bargur Police Station, Bargur,
Krishnagiri 635 104.

2. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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