



WEB COPY

CRL OP No. 9867 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. 9867 of 2026

B. Shanthi

..Petitioner(s)

Vs

1. State Rep by
The Deputy Superintendent of Police,
Udumalpet Sub Division,
Tirupur District.

2. The Inspector of Police,
All Women Police Station,
Udumalpet,
Tirupur District.
[Crime No.9 of 2026]

3. Sangeetha

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to direct the Sessions Judge, Special Court for trial of cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Tirupur to consider and pass orders on the bail application of the petitioner on the same day in the event of the petitioner's surrender before the Special Court and filing of bail application in connection with Crime No.9 of 2026 on the file of the 2nd respondent and pass such further or other orders.

For Petitioner(s): Mr.S.Arjun

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

**ORDER**

This Criminal Original Petition has been filed, seeking a direction to direct the Sessions Judge, Special Court for trial of cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, Tirupur to consider and pass orders on the bail application of the petitioner on the same day in the event of the petitioner's surrender before the Special Court and filing of bail application in connection with Crime No.9 of 2026 on the file of the 2nd respondent

2. The case of the prosecution is that the petitioner is the mother of the Accused No.1. While working in a private company, the de facto complainant and the petitioner's son developed a romantic relationship for a period of 2 ½ years. It is alleged that, on the pretext of marriage, the petitioner's son had sexual relationship with the de facto complainant on several occasions. Subsequently, when the de facto complainant insisted upon marriage, he evaded the same on the ground that she belonged to a different caste and that such marriage would not be approved by their families. The de facto complainant has further alleged that, when she questioned the conduct of the 1st accused with the petitioner herein, the petitioner abused her by uttering her caste name, and intentionally humiliated her on the basis of caste and issued threats and also refused to accept the marriage proposal. Hence, the case has been registered.



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

4. 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 petitioner's bail application, preferably on the same day of his surrender, in connection with Crime No.9 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 within a period of fifteen days from the date of receipt of a copy of this order.

5. Accordingly, this Criminal Original Petition stands allowed.

20-04-2026

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

jd



1. The Deputy Superintendent of Police,
Udumalpet Sub Division,
Tirupur District.
2. The Inspector of Police,
All Women Police Station,
Udumalpet,
Tirupur District.
3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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