



WEB COPY

CRL OP No. 9838 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. 9838 of 2026

Santhamani

..Petitioner(s)

Vs

1. The Deputy Superintendent of Police,
Kangayam Division,
Tirupur District.

2. The Inspector of Police,
Kangayam Police Station,
Tiruppur District.
[Crime No.190 of 2026]

3. Devi

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to pass an order, directing the learned Sessions Judge, (Special Court for Exclusive trial of cases registered under the SC/ST Prevention of Atrocities Act, 1989 at Tirupur to accept the surrender of the petitioners herein concerned in Crime No.190 of 2025 on the file of the Inspector of Police, Kangayam Police station, Tiruppur District and consider the bail petition on the same day itself and pass such further or other orders.

For Petitioner(s):

Ms.R.Radha Pandian

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 learned Sessions Judge, (Special Court for Exclusive Trial of Cases registered under the SC/ST Prevention of Atrocities Act, 1989 at Tirupur to accept the surrender of the petitioners herein concerned in Crime No.190 of 2025 on the file of the Inspector of Police, Kangayam Police station, Tiruppur District and consider the bail petition on the same day itself.

2. The case of the prosecution is that the de facto complainant, a daily wage labourer was grazing goats in a vacant field on 04.04.2026. At that time, the accused allegedly came to the spot on a two wheeler, abused her by uttering her caste name, and intentionally humiliated her on the ground of her caste and attacked her by using stone, thereby causing injuries. Hence, a case in Crime No.190 of 2026 has been registered against the petitioner under Sections 118(1), 351(2) of BNS, 2023 r/w Section 3(2)(va) SC/ST (Prevention of Atrocities) Act, 1989.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondents 1 and 2 and also 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.190 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



To

1. The Deputy Superintendent of Police,
Kangayam Division,
Tirupur District.
2. The Inspector of Police,
Kangayam Police Station,
Tiruppur District.
3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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