



WEB COPY

CRL OP No. 9805 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. 9805 of 2026

S.Dinaker

..Petitioner(s)

Vs

1. The Deputy Superintendent of Police,
Kangayam,
Tiruppur District.

2. The State rep. by
The Inspector of Police,
Uthiyur Police Station,
Uthiyur, Tiruppur District.
(Crime No.26 of 2026)

3. Kumar

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Sessions Judge, Special Courts for Trial of cases under SC/ST (Prevention of Atrocities) Act, Tiruppur to consider the bail application of the petitioner herein on the very day of surrender pertaining to the Crime No.26 of 2026 on the file of the 2nd respondent police.

For Petitioner(s):

Mr.Raghu D

For Respondent(s):

Mr.Leonard Arul Joseph Selvam

Additional Public Prosecutor for R1 & R2



ORDER

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This Criminal Original Petition has been filed, seeking a direction to direct the learned Sessions Judge, Special Courts for Trial of cases under SC/ST (Prevention of Atrocities) Act, Tiruppur to consider the bail application of the petitioner herein on the very day of surrender pertaining to the Crime No.26 of 2026 on the file of the 2nd respondent police.

2. The case of the prosecution is that, while the de facto complainant was returning home, at that time, the petitioner along with three others, allegedly threatened and abused one Sathish, demanding the repayment of borrowed money. When this was questioned by the de facto complainant, the petitioner and others allegedly abused him by uttering his caste name, and intentionally humiliated him on the basis of his caste, and also issued threats. 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.26 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,
Tiruppur District.
2. The State rep. by
The Inspector of Police,
Uthiyur Police Station,
Uthiyur, Tiruppur District.
3. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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