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Crl.O.P.No.15782 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl. O.P. No. 15782 of 2026

1.D. Sivakumar
2.U. Kishore
3.Prabhakaran

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Panruti, Cuddalore – 607 106.

2.The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore – 607 805.
(Crime No. 90 of 2026)

3.S. Pannerselvam

... Respondents

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to direct the learned Principal District and Sessions Judge / Special Courts for SC/ST Cases, Cuddalore to consider the bail application of the petitioners herein on the same day of surrender pertaining to the Crime No.90 of 2026 on the file of the Muthandikuppam Police Station, Cuddalore District.

For Petitioners : Mr. C. Vigneswaran

For Respondents : Mr. A. Amarnath,

Counsel for Government of Tamil Nadu
(Crl.Side) for R1 and R2



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ORDER

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This Criminal Original Petition has been filed, seeking a direction to direct the Principal District and Sessions Judge / Special Courts for SC/ST Cases, Cuddalore to consider the bail application of the petitioners on the same day of their surrender pertaining to the Crime No.90 of 2026 on the file of the 2nd respondent police.

2. On perusal of the FIR, it is seen that the defacto complainant attempted to intervene when Ayyanar was being mercilessly assaulted by the petitioners. The incident is stated to have arisen when Ayyanar raised objections to the bursting of crackers during a temple procession. It is alleged that the petitioners joined together and assaulted Ayyanar, his relatives and others who came to their support. Hence, the present case has been registered.

3. Heard the learned counsel for the petitioners and the learned Government Advocate for respondents 1 and 2 and perused the materials available on record.



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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 petitioners' bail application, preferably on the same day of their surrender, in connection with Crime No.90 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 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.

23.06.2026

Neutral Citation: Yes/No
AT



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M.NIRMAL KUMAR, J.

AT

To

- 1.The Principal District Judge, Special Court for SC/ST Cases,
Cuddalore.
- 2.The Deputy Superintendent of Police,
Panruti, Cuddalore – 607 106.
- 3.The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore – 607 805.
- 4.The Public Prosecutor,
High Court of Madras.

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