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CrI.O.P.No.16061 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI. O.P. No. 16061 of 2026

1.Aathi @ Jegatheesan
2.Kala

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Villupuram Sub-Division, Villupuram District.

2.State rep., by
The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.
(Crime No.272 of 2026)

3.Chandrasekaran

... Respondents

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to direct the Special Court for Exclusive trial of Cases for SC & ST Act cases, Villupuram to consider the bail application of the petitioners on the date of surrender before the Court in connection with Crime No.272 of 2026 on the file of the 2nd respondent police.

For Petitioners : Mr. K. Sudhakar

For Respondents : Mr. A. Amarnath,

Counsel for Government of Tamil Nadu
(CrI.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 Special Court for SC and ST Cases, Salem to consider the bail application of the petitioners on the same day of their surrender pertaining to the Crime No.272 of 2026 on the file of the 2nd respondent police.

2. As per the complaint, it is seen that the defacto complainant, while returning home after dropping his wife at a ration shop, was proceeding near the house of Kumaran. At that time, the accused, Aathi, wrongfully restrained him, abused him by referring to his caste and attempted to assault him with a hockey bat. It is further alleged that the accused prevented the complainant from entering the street on the ground that he belonged to the Scheduled Caste community.

2.1. It is also seen that the defacto complainant's 2nd son had earlier married Kumaran's daughter, it was a love marriage, which resulted in animosity between the families. As on date, Kumaran's daughter is residing with the defacto complainant's 2nd son. It appears that the said motive has been magnified and consequently, the present case has been registered.



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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.

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.272 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.

25.06.2026

Neutral Citation: Yes/No
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M.NIRMAL KUMAR, J.

AT

To

1.The Special Court for Exclusive trial of Cases for SC & ST Act cases,
Villupuram.

2.The Deputy Superintendent of Police,
Villupuram Sub-Division, Villupuram District.

3.The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.

4.The Public Prosecutor,
High Court of Madras.

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