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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 32672 of 2026

CNR: {HCMA012690962026}

1. T.Karikalan
2. Nagaraj
3. Chandrasekar
4. Nandhakumar

Case QR

..Petitioners

Vs

1. State Represented by;
   The Deputy Commissioner of Police (North)
   No.47, V Market Road, Salem City,
   I-Agraharam, Salem – 636 001

2. The Inspector of Police
   Sooramangalam Police Station,
   Salem City, Tamil Nadu.
   Crime No.544 of 2026

3. R.Shanmugavadivu

..Respondents

Prayer: The Criminal Original Petition is filed under 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Learned Special Court for the Exclusive Trial of SC/ST Cased at Salem to consider the bail petition to be filed by the Petitioners upon their surrender in connection with Crime No.544 of 2026 on the file of the Respondent Police, on the same day.

For Petitioner : Mr. T.Karunakaran

For Respondents : Mr.R.Ganesh Kumar,
Additional Public Prosecutor for R1 & R2

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ORDER

This Criminal Original Petition has been filed seeking a direction to the Special Court for the Exclusive Trial of SC/ST Cases, Salem to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.544 of 2026 since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. In view of the specific bar contained under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misuse of the salutary and laudable object of the legislation against innocent persons, there shall be a direction to the Learned Special Court for the Exclusive Trial of SC/ST Cases, Salem to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.544 of 2026 and pass appropriate orders in accordance with law, after affording due opportunity of hearing to the victim as contemplated under Section 15A of the SC/ST Act. The petitioners shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this Order.

3. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioners and pass orders. Mere direction issued by this Court to consider the

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bail petition on the same day does not amount to consider it favourably.

4. With the above direction, the Criminal Original Petition stands disposed of.

05-11-2026

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

LPP

1. The Special Court for the Exclusive Trial of SC/ST Cases,
Salem.

2.The Deputy Commissioner of Police (North)
No.47, V Market Road, Salem City,
I-Agraharam, Salem.

3.The Inspector of Police
Sooramangalam Police Station,
Salem City,
Tamil Nadu.

4.The Public Prosecutor
High Court of Madras.

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G.K.ILANTHIRAIYAN, J.

LPP

CRL OP No. 32672 of 2026

05-11-2026

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