



Crl.OP(MD)No.242 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).Nos.242 of 2026

1. Chandramouly @ Chandramurali,
2. Prabash
3. Harikumar
4. Prathapan
5. Raguvaran Thambi ... Petitioner / Accused No.1 to 5

Vs.

- 1.State Rep. by,
the Deputy Superintendent of Police,
Thuckalay,
Kanniyakumari District.
2. The Inspector of Police,
Thuckalay Police Station,
Kanniyakumari District.
(Crime No.731/2025) ... Respondents / Complainant
3. Rajagopal ... 3rd Respondent / Defacto
Complainant / Victim

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Special Court for exclusive trial of



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cases under SC/ST (POA) act, Nagercoil, Kanniyakumari, to consider the bail application on his surrender on the same day, if any petition filed by the Petitioners in Crime No.731/2025 on the file of the 2nd respondent.

For Petitioners : Mr.C.Susi Kumar

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the learned Special Court for exclusive trial of cases under SC/ST (POA) act, Nagercoil, Kanniyakumari, to consider the bail application on his surrender on the same day, if any petition filed by the Petitioners in Crime No.731/2025 on the file of the 2nd respondent.

2. Considering the nature of the relief sought for, notice to the 3rd respondent is dispensed with.

3. The case of the prosecution is that the *defacto* complainant, a daily wage worker, claims the disputed property and Bhuvaneswari Shri Kandhan Sastha Temple belong to his community, with a 500-year history. The accused allegedly threatened him and his



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community, damaged the temple idol using JCB, abused him with derogatory language, and issued life threats on 19.03.2025. The petitioners are charged under BNS and SC/ST (Prevention of Atrocities) Act sections.

4. Heard the learned counsel on either side and carefully perused the materials available on record.

5. Considering the limited scope of the relief sought for, this Court hereby directs the learned Special Court for exclusive trial of cases under SC/ST (POA) act, Nagercoil, Kanniyakumari, to issue prior notice to the *de facto* complainant and thereafter to consider the bail application of the petitioners on the same day of their surrender before that Court in connection with Crime.No. 731 of 2025 on the file of the 2nd respondent police. The petitioner shall surrender before the learned Trial Court within a period of 15 days from the date of receipt of a copy of this order.



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6. Accordingly, this Criminal Original Petition is allowed.

08.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Sml

To

- 1.The Judge,
Special Court for exclusive trial of
cases under SC/ST (POA) act,
Nagercoil, Kanniyakumari..
2. The Deputy Superintendent of Police,
Thuckalay,
Kanniyakumari District.
3. The Inspector of Police,
Thuckalay Police Station,
Kanniyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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