



Crl.O.P(MD)No.1230 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1230 of 2026

1.Krishnamoorthy
2.Saroja

... Petitioner/A1 & A2

Vs.

1.The Deputy Superintendent of Police,
Uthamapalayam Taluk,
Theni District.

2.The State of Tamil Nadu,
Rep.by The Sub Inspector of Police,
Gudalur South Police Station,
Theni District.
(Crime No.21/2026)

... Respondents/Complainants

3.Murugan

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the District and Session's Judge (PCR Cases) Theni, to consider the bail application on the surrender of the petitioners/accused no.1 and 2 on the same day in Crime No.21 of 2026 on the file of the respondent police on merits.



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For Petitioner : Mr.S.Sundarapandian
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed to direct the learned District and Session's Judge (PCR Cases) Theni, to consider the bail application on the surrender of the petitioners/accused no.1 and 2 on the same day in Crime No.21 of 2026 on the file of the respondent police on merits.

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

3. The case of the prosecution case is that the *defacto* complainant had availed a hand loan from the 1st petitioner and had handed over his ATM card as security. Upon the *defacto* complainant blocking the ATM card through the bank, the petitioners allegedly abused him by using caste based derogatory language. Based on the complaint lodged by the *defacto* complainant, FIR has been registered



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for the offences under Sections 296(b), 351(2) of BNS, 2023 and Section 3(1)(r), 3(1)(s) & 3(2)(va) of SC /ST (Prevention of Atrocities) Amendment Act, 2015 and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.21 of 2026 on the file of the 2nd respondent.

4. The learned Government Advocate(Crl.Side), on instructions submitted that the 1st accused has already been arrested on 22.01.2026.

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

5. In view of the submission made by the learned Government Advocate (Crl.Side), this petition is dismissed insofar as the 1st petitioner is concerned. Insofar as the 2nd petitioner is concerned, this Court hereby direct the Learned District and Session's Judge (PCR Cases) Theni, to issue prior notice to the *defacto* complainant and thereafter to consider the bail application of the 2nd petitioner on the



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same day of her surrender before that Court in connection with Crime No.21 of 2026 on the file of the 2nd respondent police.

6. Accordingly, this Criminal Original Petition is partly allowed.

23.01.2026

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

Note : Issue order copy on 27.01.2026.

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To

- 1.The Deputy Superintendent of Police,
Uthamapalayam Taluk,
Theni District.
- 2.The Sub Inspector of Police,
Gudalur South Police Station,
Theni District.
- 3.The District and Session's Judge (PCR Cases),
Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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