



Crl.OP(MD)No.3367 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.3367 of 2026

Esakkiappan

... Petitioner / A5

Vs.

1.The State of Tamilnadu,
Rep.By The Deputy Superintendent of Police,
Kanniyakumari,
Kanniyakumari District.

2.The State rep. By, the Inspector of Police,
Anjugramam Police Station,
Kanniyakumari District.
(Cr.No.16 of 2026)

... Respondent Nos. 1 and 2 /
Complainant

3.Navin Kumar

... Respondent No.3 /
De facto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Special Court for Trial Under the SC/ST Act Cases, Kanniyakumari, at Nagercoil, to consider the bail application on



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his surrender on the same day, if any petition filed by the petitioner in Crime No.16 of 2026 on the file of the second respondent.

For Petitioner : Mr.K.Sathish 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 Trial Under the SC/ST Act Cases, Kanniyakumari, at Nagercoil, to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.16 of 2026 on the file of the second respondent.

2.Since there is no adverse order passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

3.The case of the prosecution is that on 13.01.2026, at about 10:00 p.m., when the third respondent/defacto complainant along with his friend Muthubabis, went to meet Senthilnathan at his Advocate's



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Office, the petitioner and the other accused persons waylaid the third respondent, abused him in filthy language mentioning his community name, directed him to remove his clothes, assaulted him and his friend, and threatened him with dire consequences. Based on these allegations, an FIR has been registered against the petitioner and the other accused persons.

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 direct the learned Special Court for Trial Under the SC/ST Act Cases, Kanniyakumari, at Nagercoil, to issue prior notice to the *de facto* complainant and thereafter to consider the bail application of the petitioner on the same day of his surrender before that Court in connection with Crime No.16 of 2026 on the file of the 2nd respondent police.



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6. Accordingly, this Criminal Original Petition is disposed of.

18.02.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

vsg

Note:Issue Order Copy on 25.02.2026.

To

1.The Special Court for Trial Under the SC/ST Act Cases,
Kanniyakumari, at Nagercoil,

2. The Deputy Superintendent of Police,
Kanniyakumari,
Kanniyakumari District.

3.The Inspector of Police,
Anjugramam Police Station,
Kanniyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

vsg

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