



CRL OP(MD). No.3758 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 23/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3758 of 2026

1. Joseph John Samuel,

2. Gabriel Devairakkam

... Petitioners

Vs

1. The State of Tamilnadu,
Rep By,
The Assistant Commissioner of Police,
Tirunelveli City,
Melapalayam Zone,
Tirunelveli District.

2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli.
Cr.No.59 of 2026.

3. Muthukumar

... Respondents

PRAYER :-

To direct the II Additional District Judge cum PCR Court, Tirunelveli to consider the bail application of the petitioner herein on the same day of surrender pertaining to the Cr.No.59/2026 on the file of the 2nd respondent police.

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For Petitioner : Mr. P.P.Alwin Balan,
Advocate.

For Respondent : Mr.B.Thanga Aravindh for R1 and R2
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the learned II Additional District Judge cum PCR Court, Tirunelveli to consider the bail application of the petitioner herein on the same day of surrender pertaining to the Cr.No.59/2026 on the file of the 2nd respondent police.

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

3. Gist of the case: The third respondent has given a complaint as against the petitioners herein. On 16.02.2026, when the third respondent went to fetch water from the water tank, the one contract vehicle was fetching water and informed the defacto complainant to wait for one hour and when he was waiting, the first accused abused the defacto complainant in filthy words, specifically targeting his caste and assaulted



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him with a stone in his eye and head. Hence the complaint in Crime No. 59 of 2026 has been registered for the offences under Sections 296(b), 115(2), 118(1), 351(2) of BNS, 2023 and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss), Act, 1992 r/w Section 3(1) (r), 3(1)(s) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 II Additional District Judge cum PCR Court, Tirunelveli, 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.59 of 2026 on the file of the second 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 disposed of.

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23.02.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

Note : Issue order copy on **26.02.2026**

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To

- 1.The II Additional District Judge cum PCR Court, Tirunelveli.
2. The Assistant Commissioner of Police,
Tirunelveli City, Melapalayam Zone, Tirunelveli District.
3. The Inspector of Police, Perumalpuram Police Station,
Tirunelveli. Cr.No.59 of 2026.
4. The Additional Public Prosecutor,
Madurai Bench of madras High Court, Madurai.



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L. VICTORIA GOWRI,J

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ORDER
IN
CRL OP(MD) No.3758 of 2026

Date : 23/02/2026