



CrI.O.P.(MD)No.7596 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2026

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

**CrI.OP(MD)No.7596 of 2026**

1. Ahamed Jalal  
2. Jiyavudeen @ Seenii Jiyavuden ... Petitioners

versus

1. State of Tamil Nadu, rep. by  
The Superintendent of Police,  
Ramanathapuram Division,  
Ramanathapuram District.  
2. The Inspector of Police,  
Kenikkarai Police Station,  
Ramanathapuram District.

3. Prasanth ...Respondents

**Prayer :** Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Ramanathapuram District, to accept the surrender of the petitioners in Crime No.135 of 2026 on the file of the 2<sup>nd</sup> respondent and to consider the bail petition of the petitioners herein which would be filed on the same day of the surrender.

For Petitioners : Mr.K.Yasar Arafath



For R1 and R2 : Mr.A.Albert James,  
Government Advocate (CrI. side)

### **ORDER**

The petitioners are the accused Nos.2 and 3 in Crime No.135 of 2026 on the file of the 2<sup>nd</sup> respondent Police. The said case was registered against them for the offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Therefore, the petitioners have filed this petition, seeking a direction to the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Ramanathapuram District, to consider their bail application on the same day of surrender.

2. The case of the prosecution is that the defacto complainant is the friend of the 1<sup>st</sup> petitioner. The 1<sup>st</sup> petitioner had approached the defacto complainant for purchasing a land belonging to one Ragu, for which, he paid a sum of Rs.50,000/- to the defacto complainant. Thereafter, the 1<sup>st</sup> petitioner was not willing to purchase the land and therefore, he asked the defacto complainant to return the money given to the said Ragu. However, the said Ragu delayed to repay the said amount, due to which, a dispute



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arose between the parties. On 15.03.2026, the petitioners and other accused persons came to the tea shop and picked up quarrel with the defacto complainant and abused him in filthy language by using his caste name. The accused persons have also attacked him.

3. The learned counsel appearing for the petitioners submits that due to land dispute between the 1<sup>st</sup> petitioner and the defacto complainant, this case has been foisted. He further submitted that Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioners are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek a direction for disposal of the bail application on the same day. He further submitted that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed by the accused on the same day of their surrender and therefore, by relying upon the similar orders, the petitioners prayed for similar directions.

4. The learned Government Advocate (Crl. Side) submits that there is no bad antecedent against the petitioners.



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5. Considering the nature of offence, this Criminal Original Petition is disposed of with a direction to the petitioners to surrender before the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Ramanathapuram District, within a period of two weeks from the date of receipt of a copy of this order and the learned Judge is directed to entertain the bail application if any filed by the petitioners on the same day. In the meantime, the petitioners shall serve a copy of the bail petition well in advance to the defacto complaint along with the proposed date of their surrender, enabling the complainant to submit his arguments, if any. The Public Prosecutor concerned is expected to be available in the Court and the Public Prosecutor can very well get instructions with the available scientific modes. The bail application in any event shall be disposed on merits on the same day.

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

1. The Special Court for Exclusive Trial of Cases  
under SC/ST (POA) Act,  
Ramanathapuram District.
2. The Superintendent of Police,  
Ramanathapuram Division,  
Ramanathapuram District.
3. The Inspector of Police,  
Kenikkarai Police Station,  
Ramanathapuram District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**B.PUGALENDHI, J.**

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