



CRL OP(MD). No.9430 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13.05.2026

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THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

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1. Periyasamy
2. Venkatachalam
3. Vadivel

... Petitioners

Vs.

1. The State of Tamilnadu, Rep, by
The Deputy Superintendent of Police,
Musiri Range,
Jambunathapuram Police Station,
Trichy District.
2. The Sub Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
Crime No.109/2026

3. Vijay

... Respondents

Prayer: Petition filed under Section 528 BNSS to direct the learned Principal Additional District and Sessions Judge (PCR Cases), Trichy District to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.No. 109/2026 dated 30.04.2026 on the file of the 2nd respondent Police.



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For Petitioners : Mr.V.G.Vallarasu Chezhiyan

For R1 and R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed, invoking Section 528 BNSS, seeking orders to direct the learned Principal Additional District and Sessions Judge (PCR Cases), Trichy, to accept the surrender of the petitioners and consider their bail applications on the same day on merits in relating to Crime No.109 of 2026 on the file of the second respondent police.

2. The petitioners are the accused Nos.1 to 3 for the offence under Sections 296(b), 115(2), 351(2) of BNS and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in Crime No.109 of 2026, pending on the file of the second respondent Police and apprehending arrest, he has filed the present petition.



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3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.

4. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the injured has been discharged from the hospital.

5. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Principal Additional District and Sessions Judge (PCR Cases), Trichy, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with the case in Crime No.109 of 2026 on the file of the second respondent police and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioners shall surrender before the concerned jurisdictional Court,



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within a period of fifteen days, from the date of the receipt of a copy of this order.

6. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioners and pass orders. Mere direction issued by this Court to consider the bail petition on the same day, does not amount to consider it favorably.

7. With the above direction, this Criminal Original Petition stands allowed.

13.05.2026

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Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.

To

1. The Principal Additional District and
Sessions Judge (PCR Cases),
Trichy.



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2. The Deputy Superintendent of Police,
Musiri Range,
Jambunathapuram Police Station,
Trichy District.

3. The Sub Inspector of Police,
Jambunathapuram Police Station,
Trichy District.

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



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K.K. RAMAKRISHNAN, J.

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