



CRL OP(MD), No.9441 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

CRL OP(MD)No.9441 of 2026

Vishal Sasianand

... Petitioner

Vs.

1. The State of Tamilnadu, Rep. by
The Assistant Commissioner of Police,
O/o. Anna Nagar Circle,
Madurai City.

2. State of Tamilnadu, Rep by
The Inspector of Police,
K.Pudur Police Station,
Madurai City.
(Crime No.129/2026)

3. Sivabalan

... Respondents

PRAYER: Petition filed under Section 528 of BNSS, to direct the learned III Additional Special District and Sessions Judge for SC/ST Act cases, Madurai to consider the bail application of the petitioner on the same day of his surrender itself in Crime No.129 of 2026 on the file of 2nd respondent.



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CRL OP(MD), No.9441 of 2026

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

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of BNSS, seeking orders to direct the learned III Additional Special District and Sessions Judge for SC/ST Act cases, Madurai to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.129 of 2026, on the file of the second respondent police.

2. The petitioner is accused for the offences punishable under Sections 126(2), 296(b), 115(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002 and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.129 of 2026, pending on the file of the second respondent police and



CRL OP(MD), No.9441 of 2026

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 (Crl. Side) submits that the injured has been discharged from the hospital and the petitioner is not having any previous case.

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 III Additional Special District and Sessions Judge for SC/ST Act cases, Madurai, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.129 of 2026, on the file of the second respondent police and pass appropriate orders, in accordance with law, after affording due



CRL OP(MD), No.9441 of 2026

opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioner shall surrender before the concerned jurisdictional Court, 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 petitioner, if any, 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.



CRL OP(MD), No.9441 of 2026

To

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1. The III Additional Special District and Sessions Judge for SC/ST Act cases, Madurai
2. The Assistant Commissioner of Police,
O/o. Assistant Commissioner of Police,
Anna Nagar Circle,
Madurai City.
3. The Inspector of Police,
K.Pudur Police Station,
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD), No.9441 of 2026

K.K. RAMAKRISHNAN,J.

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CRL OP(MD) No.9441 of 2026

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