



CRL OP(MD), No.9454 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13.05.2026

CORAM

THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

CRL OP(MD)No.9454 of 2026

1. Rajakumaran @ Rajkumar
2. Mayandi
3. Lakshmi

... Petitioners

Vs

1. The State of Tamilnadu, Rep by
The Deputy Superintendent of Police,
Periyakulam,
Theni District.
2. The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No. 378 of 2026).

3. Annadurai

... Respondents

PRAYER :-

Petition filed under Section 528 of BNSS, to direct the Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST (POA), Act, 1989, Theni, to consider the petitioners' bail application on the same



CRL OP(MD), No.9454 of 2026

day of their surrender in Crime No. 378 of 2026 on the file of the 2nd respondent police.

For Petitioner : Mr.S.Muniyandi
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 Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST (POA), Act, 1989, Theni, to accept the surrender of the petitioners and consider their bail applications on the same day on merits in relating to Crime No.378 of 2026, on the file of the second respondent police.

2. The petitioners are accused for the offences punishable under Sections 146, 127(4), 115(2) of BNS, Section 14(1) of Prohibition of Child Labour Act, Sections 16, 17, 18 of Bonded Labour Act r/w 3(i)(p), 3(i)(h), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, in Crime No.378 of 2026, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.



CRL OP(MD), No.9454 of 2026

WEB COPY

3. Heard the learned counsel appearing for the petitioners, 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 petitioners have committed offence not only under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, but also for the offences under the provisions of Prohibition of Child Labour Act and Bonded Labour Act.

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 Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST (POA), Act, 1989, Theni, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.378 of 2026, on the file of the



CRL OP(MD), No.9454 of 2026

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, 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, 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

ogy

Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.



CRL OP(MD), No.9454 of 2026

To
WEB COPY

1. The Sessions Judge,
Special Court of Exclusive Trial of Cases under SC/ST (POA), Act,
1989, Theni
2. The Deputy Superintendent of Police,
Periyakulam,
Theni District.
3. The Inspector of Police,
Thenkarai Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD), No.9454 of 2026

K.K. RAMAKRISHNAN,J.

ogy

CRL OP(MD) No.9454 of 2026

13.05.2026