

Crl.O.P.(MD)No.9868 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.05.2026

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.9868 of 2026

1.S.Athithyan
2.K.Muthu

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Gantharvakottai Police Station,
Pudukottai.

2.The State rep. by
The Sub-Inspector of Police,
Gantharvakottai Police Station,
Pudukottai.
(Crime No.89 of 2026)

3.Karunanithi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal Sessions Judge, Special Court for PCR Cases, Pudukottai to accept the surrender of the petitioners and consider the petitioners' bail application and grant bail on the same date of surrender itself in Crime No.89 of 2026 dated 01.04.2026 on the file of the second respondent police.



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For Petitioners : Mr.C.Santhosh Kumar
For R1 & R2 : Mr.T.Lenin Kumar
Counsel for State of TN (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Principal Sessions Judge, Special Court for PCR Cases, Pudukottai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.89 of 2026 on the file of the second respondent police.

2. The petitioners are accused for the offences punishable under Section 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women (Amendment) Act, 2002 and Sections 3(l)(r), 3(l)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 in Crime No.89 of 2026, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.

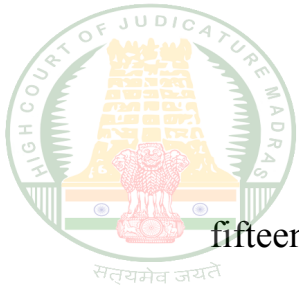


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3. Heard the learned counsel appearing for the petitioners, the learned Counsel for State of TN (Crl. Side) appearing for the respondents 1 and 2 and perused the materials available on record.

4. The learned Counsel for State of TN (Crl. Side) appearing for the respondents 1 and 2 would submit that the injured was 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 Sessions Judge, Special Court for PCR Cases, Pudukottai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.89 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, within a period of



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

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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 disposed of.

27.05.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
apd



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To

- 1.The Principal Sessions Judge,
Special Court for PCR Cases, Pudukottai.
- 1.The Deputy Superintendent of Police,
Gantharvakottai Police Station,
Pudukottai.
- 2.The Sub-Inspector of Police,
Gantharvakottai Police Station,
Pudukottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

apd

Order made in
Crl.O.P.(MD)No.9868 of 2026

Dated: 27.05.2026