



Crl.O.P.(MD)No.9942 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **29.05.2026**

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.9942 of 2026

1. Suganya

2. Bhavani

... Petitioners

Vs.

1. The State of Tamilnadu Rep. by.,
The Deputy Superintendent of Police,
Aundipatti,
Theni District.

2. The Inspector of Police,
G.Vilakku Police Station,
Theni District,
(Crime No. 202 of 2026)

3. Mahalakshmi

4. Rajeswari

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to Direct the learned Judge, Special Court the Exclusive Trial of SC/ST Cases, Theni to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No. 202 of 2026 on the file of the 2nd respondent on the file of the 2nd respondent.



WEB COPY



Crl.O.P.(MD)No.9942 of 2026

For Petitioners : M/s.C.Susi 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 528 of BNSS, seeking orders to direct the learned Judge, Special Court for the Exclusive Trial of SC/ST Cases, Theni to accept the surrender of the petitioners and consider their bail applications on the same day on merits in relating to Crime No.202 of 2026 on the file of the second respondent police.

2. The petitioners are accused for the offences punishable under Sections 296(b), 115(2) of BNS and 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act, 1989 Act in Crime No.202 of 2026, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.

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.



Crl.O.P.(MD)No.9942 of 2026

4. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioners are not having any previous cases. He further submits that the injured person 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 Judge, Special Court for the Exclusive Trial of SC/ST Cases, Theni, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.202 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 fifteen days, from the date of the receipt of a copy of this order.



Crl.O.P.(MD)No.9942 of 2026

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 directions, this Criminal Original Petition stands allowed.

29.05.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gvn



Crl.O.P.(MD)No.9942 of 2026

WEB COPY

To

1.The Judge,
Special Court for the Exclusive Trial of SC/ST Cases, Theni.

2. The Deputy Superintendent of Police,
Aundipatti,
Theni District.

3. The Inspector of Police,
G.Vilakku Police Station,
Theni District,
(Crime No. 202 of 2026)

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



WEB COPY



CrI.O.P.(MD)No.9942 of 2026

K.MURALI SHANKAR,J.

gvn

Order made in
CrI.O.P.(MD)No.9942 of 2026

Dated: 29.05.2026