



CRL OP(MD). No.9982 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 29/05/2026

CORAM

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD). No.9982 of 2026

1. Selvaraj,
2. Mallika,

... Petitioners

Vs

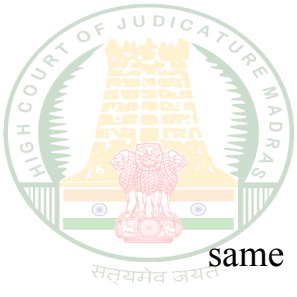
1. The State of Tamilnadu, Rep.,
By the Deputy Superintendent of Police,,
Marthandam Division,
Nagercoil,
Kanniyakumari District..

2. The State of Tamilnadu Rep By
The Inspector of Police,
Kadayalumoodu Police Station,
Kanniyakumari District.
(Crime No.35 of 2026).

3. Sajitha,

... Respondents

PRAYER :- Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Learned Special Court for SC/ST Act Cases, Kanyakumari District at Nagercoil to accept the surrender of the petitioners and to consider the petitioners bail application on the



CRL OP(MD), No.9982 of 2026

same day in connection with Crime No.35 of 2026 on the file of the second respondent police.

For Petitioners : Mr.V.Chandrapandi,
For R1 and R2 : Mr.T.Lenin Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Special Court for SC/ST Act Cases, Kanyakumari District at Nagercoil to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.35 of 2025 on the file of the second respondent police.

2. The petitioners are the accused for the offences punishable under Section 323 IPC and Sections 296(b), 324 (4), 329(4), 351(ii) of BNS and r/w Sections 3(l)(r) and 3(l)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 in Crime No.35 of 2026, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.



CRL OP(MD), No.9982 of 2026

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 (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioners are not having any previous cases.

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 Special Court for SC/ST Act Cases, Kanyakumari District at Nagercoil, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.35 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,



CRL OP(MD), No.9982 of 2026

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.

29.05.2026

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

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CRL OP(MD), No.9982 of 2026

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To

1. The Special Court for SC/ST Act Cases, Kanyakumari District at Nagercoil.
2. The Deputy Superintendent of Police,,
Marthandam Division,
Nagercoil,
Kanniyakumari District..
3. The State of Tamilnadu Rep By
The Inspector of Police,
Kadayalumoodu Police Station,
Kanniyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD), No.9982 of 2026

K.MURALI SHANKAR,J

TTA

ORDER
IN
CRL OP(MD) No.9982 of 2026

Date : 29/05/2026