



CrI.O.P.(MD)No.9977 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

CrI.O.P.(MD)No.9977 of 2026

1.C.Mariappan
2.S.Sri Raman

... Petitioners

Vs.

1.The Commissioner of Police,
Tirunelveli, Tirunelveli District.

2.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
(Crime No.94 of 2026)

3.Balasundaram

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 BNSS to direct the II Additional Sessions Court (Special Court for SC/ST (POA)Act), Tirunelveli to accept the surrender of the petitioner and consider the bail application on merits on the date of surrender in Cr.No. 94 of 2026 on the file of the second respondent Police.

For Petitioners : Mr.S.Senthil Sankara Natha Kumar

For R1 & R2 : Mr.S.Sivasubramanian,
Counsel for State of Tamil Nadu(CrI. Side)



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ORDER

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2.The petitioners are accused for the offences punishable under Sections 127(1) BNS r/w Section 3(1)(g) and 3(1)(f) SC/ST (POA) Amendment Act, 2015 in Crime No.94 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 Counsel for State of Tamil Nadu(Crl. Side) appearing for the respondents 1 and 2 and perused the materials available on record.



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4.The learned Counsel for State of Tamil Nadu(Crl. 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 II Additional Sessions Court (Special Court for SC/ST (POA)Act), Tirunelveli to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No.94 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.



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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 allowed.

29.05.2026

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



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To

- 1.The II Additional Sessions Court (Special Court for SC/ST (POA)Act),
Tirunelveli.
- 2.The Commissioner of Police,
Tirunelveli, Tirunelveli District.
- 3.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

gns

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