



Crl.OP(MD).No.11226 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **30.06.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE K.RAJASEKAR**

Crl.OP(MD).No.11226 of 2026

Saravanakumar

... Petitioner

/vs./

1.The State,
Represented by
The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.

2.State of Tamil Nadu,
Represented by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai,
Crime No.48 of 2026.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., to set aside the docket order dated 03.06.2026 passed by the learned Additional District and Sessions Judge (For SC/ST Cases), Sivagangai, in unnumbered bail application and directed to number the bail application filed by the petitioner in Crime No.48 of 2026 on the file of the 2nd respondent police.

For Petitioner : Mr.S.Pandiyaraj

For Respondents : Mr.I.Murugesan
Government Advocate (Criminal Side)



Crl.OP(MD).No.11226 of 2026

WEB COPY

ORDER

Heard Mr.S.Pandiyaraj for the petitioner and Mr.I.Murugesan, learned Government Advocate (Criminal Side) for the Respondents.

2. This Criminal Original Petition has been filed to set aside the docket order dated 03.06.2026 passed by the learned Additional District and Sessions Judge (For SC/ST Cases), Sivagangai, in unnumbered bail application and directed to number the bail application filed by the petitioner in Crime No.48 of 2026 on the file of the 2nd respondent police.

3. When the matter is taken up for hearing, the learned counsel for the petitioner submits that the petitioner was remanded in Crime No.48 of 2026 on the file of the 2nd respondent police for the alleged offences under Sections 103(1), 238 and 303(2) of the Bharatiya Nyaya Sanhita, and Section 3(2)(v) of the SC/ST (Amendment) Act, 2015. It is submitted that the alteration report was filed on 30.03.2026. It is further submitted that the petitioner continues to be in custody in connection with the above offences.

4. It is stated that the bail petition filed before the learned Additional District and Sessions Judge, (For SC/ST Act Cases), Sivagangai, was returned



Crl.OP(MD).No.11226 of 2026

on the ground that no FIR was pending before the said Court and that the accused had not been remanded by the above Court. The said endorsement was made on 03.06.2026. However, a perusal of the alteration report filed by the respondent police shows that the provisions of the SC/ST Act had already been incorporated by way of alteration in March, 2026.

5. In view of the above, it is appropriate for the petitioner to approach the Special Court for seeking bail. However, the bail petition was returned without proper justification. Accordingly, the said return docket order dated 03.06.2026 passed by the learned Additional District and Sessions Judge (For SC/ST Cases), Sivagangai, in unnumbered bail application, is set aside. The petitioner is directed to file a fresh bail application before the concerned Special Court, where the case is now pending. On such filing, the learned Special Judge shall take the application on file and dispose of the same in accordance with law.

6. In view of the above, the Criminal Original Petition stands **allowed**.

30.06.2026

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



Crl.OP(MD).No.11226 of 2026

WEB COPY

TO:

- 1.The Additional District and Sessions Judge (For SC/ST Cases),
Sivagangai.
- 2.The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.
- 3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai,
Crime No.48 of 2026.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.OP(MD).No.11226 of 2026

K.RAJASEKAR, J.

Nsr

Order made in
Crl.OP.(MD).No.11226 of 2026

Dated:
30.06.2026