



Crl.O.P(MD)No.23995 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.23995 of 2025

1.Gomathi
2.Maheshwari

... Petitioner/A1 & A2

Vs.

1.The State of Tamil Nadu,
Rep.by the Assistant/Deputy Commissioner of Police,
Madurai City.

2.The State of Tamil Nadu,
Rep.by the Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(Crime No.647/2025)

... Respondents/Complainants

3.Karuppaiah

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned III Additional District and Sessions Judge(PCR) Court, Madurai to consider the bail application of the petitioners in the event of their arrest in crime no.647 of 2025 on the file of the 2nd respondent C3 SS Colony Police Station, Madurai registered for the alleged offences under Sections 296(b), 115(2),



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351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For Petitioner : M/s.K.Priyanka
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed to direct the learned III Additional District and Sessions Judge(PCR) Court, Madurai to consider the bail application of the petitioners in the event of their arrest in Crime No.647 of 2025 on the file of the 2nd respondent C3 SS Colony Police Station, Madurai registered for the alleged offences under Sections 296(b), 115(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Considering the nature of the relief sought for, notice to the 3rd respondent is dispensed with.



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3. The petitioner submits that the case arises out of a land dispute.

The petitioners were neighbours of the *defacto* complainant and were allegedly attempting to encroach upon the complainant's land by dumping garbage and waste materials. On 12.12.2025, following the order of this Court in W.P(MD)No.23148 of 2025, when the Tahsildar, Village Administrative Officer and Survey Officials came to the spot for conducting survey, the accused persons allegedly scolded and assaulted the *defacto* complainant. Based on these allegations, an FIR has been registered against the petitioners.

4. Heard the learned counsel on either side and carefully perused the materials available on record.

5. Considering the limited scope of the relief sought for, this Court hereby direct the learned III Additional District and Sessions Judge(PCR) Court, Madurai to issue prior notice to the *defacto* complainant and thereafter to consider the bail application of the petitioners on the same day of their surrender before that Court in



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connection with Crime No.647 of 2025 on the file of the 2nd respondent police.

6. Accordingly, this Criminal Original Petition is allowed.

02.01.2026

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

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Note : Issue order copy on 05.01.2026.

To

- 1.The III Additional District and Sessions Judge(PCR) Court, Madurai.
- 2.The Assistant/Deputy Commissioner of Police, Madurai City.
- 3.The Inspector of Police, S.S.Colony Police Station, Madurai City.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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