

Crl.M.P.No.12463 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

**Crl.M.P.No.12463 of 2025
in
Crl.O.P.No.10455 of 2025**

1. Muthal

2. Suresh alias Prabakaran

3. Thavamani

4. Selvamani

5. Elumalai

6. Arivazhagan

7. Shanmugam

... Petitioners

Vs

1. The State by,
The Deputy Superintendent of Police,
Gingee Sub Division,
Villupuram District.

2. The State by, The Inspector of Police,
Nallampillaipetral Police Station,
Villupuram District.

3. Kiruthiga

... Respondents



Crl.M.P.No.12463 of 2025

WEB COPY

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of BNSS 2023, to extend time to execute the order passed by this Court in Crl.O.P.No.10455 of 2025 dated 08.04.2025.

For Petitioners : Mr.G.Saravanabhavan

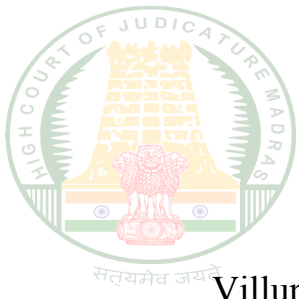
For R1 & R2 : Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

This Criminal Miscellaneous Petition has been filed seeking extension of time to execute the order passed by this Court in Crl.O.P.No.10455 of 2025 dated 08.04.2025.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent-Police and perused the materials available on record.

3. The petitioner had already filed Crl.O.P.No.10455 of 2025, seeking direction to direct the learned Sessions Judge, Special Court for Exclusive trial of cases registered under SC/ST(PoA) Act Cases,



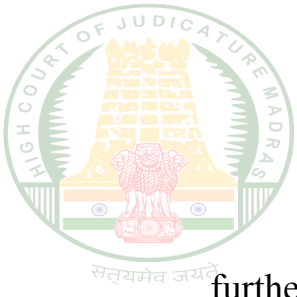
Crl.M.P.No.12463 of 2025

WEB COPY

Villupuram to consider the petitioners' bail applications on the same day in the event of their surrender in Crime No.33 of 2025 pending on the file of the second respondent-Police.

4. This Court while disposing the said criminal original petition, vide order dated 08.04.2025, directed the petitioners to surrender before the concerned jurisdictional Court within a period of fifteen days from the date of a receipt of a copy of the order. Now the petitioners have filed this criminal miscellaneous petition seeking extension of time to execute the said order of this Court.

5. It is to be noted that as per Section 18 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short “SC/ST Act”), there is a bar to file a petition under Section 438 Cr.P.C./483 of B.N.S.S. Further Section 15A under Chapter IV-A was introduced by Act 1 of 2016 w.e.f. 26.01.2016, as per which, notice has to be sent to the victim, in respect of any proceedings and without giving notice/without hearing the victim, no proceedings shall be proceeded



Crl.M.P.No.12463 of 2025

WEB COPY

further. Hence, this Court is not inclined to extend time to the petitioners to execute the order of this Court dated 08.04.2025 passed in Crl.O.P.No.10455 of 2025.

6. In view of the same, this Criminal Miscellaneous Petition is dismissed. However, the petitioners are at liberty to workout their remedy before the trial court.

01.07.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Deputy Superintendent of Police,
Gingee Sub Division,
Villupuram District.
2. The Inspector of Police,
Nallampillaipetral Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court, Chennai.



WEB COPY



Crl.M.P.No.12463 of 2025

P.VELMURUGAN, J

mfa

**Crl.M.P.No.12463 of 2025
in
Crl.O.P.No.10455 of 2025**

01.07.2025