



Crl.O.P.(MD)No.4813 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :14.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.4813 of 2025

1. Balasubramanian @ Subramamian

2. Kavitha

3. Aravindh

... Petitioners

Vs.

1. The State of Tamil Nadu,
Represented by the Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.

2. The Inspector of Police,
Gandamanur Police Station,
Theni District.
Crime No. 44/2025.

3. Panju

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Special Court for Exclusive Trial of Cases under SC/ST (PoA) Act 1989, Theni to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.44 of 2025 on the file second respondent.



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For petitioners : Mr.K.N.Gurusamy

For R-1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioners to direct learned Special Court for Exclusive Trial of Cases under SC/ST (PoA) Act 1989, Theni and to accept the surrender of the petitioners in Crime No.44 of 2025 dated 05.03.2025 on the file of the second respondent police and to consider and pass orders on the bail application to be preferred by the petitioners on the same day itself.

2. Heard the learned counsel appearing for the petitioners, the learned Additional Public Prosecutor (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.

3. 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 limited prayer and the facts and circumstances of the case, there shall be a direction to the learned Special Court for Exclusive Trial of Cases under SC/ST (PoA) Act 1989, Theni to consider the petitioners bail application, preferably on the same day of his surrender



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in connection with Crime No.44 of 2025 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 (POA) Act, 1989. 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.

4. 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 on merits and in accordance with law.

5. With the above direction, this Criminal Original Petition stands disposed of.

14.03.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Mac

Note: The Registry is directed to issue order copy on 17.03.2025.



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P. DHANABAL. J,

Mac

To

1. The Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.

2. The Inspector of Police,
Gandamanur Police Station,
Theni District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Note: Registry is directed to issue order copy on 17.03.2025.

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