



CrI.O.P(MD)No.7963 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CrI.O.P(MD)No.7963 of 2025

1.K.Kubendran

2.K.Logesh

... Petitioners

Vs

1.State of Tamil Nadu
The Deputy Superintendent of Police,
Theni, Theni District.

2.The Inspector of Police,
Allinagaram Police Station,
Theni.

3.S.Murugaiya

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the learned Principal and District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)



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Act, 1989 (amended), 2015) Theni, to accept the surrender of the petitioners and consider their bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.75 of 2025 registered on 10.04.2025 on the file of the respondent police.

For Petitioners : Mr.C.Jeganathan

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed to direct the learned Principal and District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (amended), 2015) Theni, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No. 75 of 2025 dated 10.04.2025 on the file of the second respondent police

2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (CrI.Side) appearing for the respondents police and perused the materials available on record.



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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 Principal and District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (amended), 2015) Theni, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.75 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 Act. The petitioner 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.



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

disposed of.

29.04.2025

Internet :Yes

Index :Yes/No

NCC :Yes/No

Note:Issue order copy on 30.04.2025

Rmk

To

1.The Principal and District Sessions Judge
(Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Attrocities) Act, 1989 (amended), 2015) Theni.

2.The Deputy Superintendent of Police,
Theni, Theni District.

3.The Inspector of Police,
Allinagaram Police Station,
Theni.

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



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P. DHANABAL, J.

Rmk

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