



Crl.O.P.(MD)No.9176 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.9176 of 2025

Rajeshwari @ Rajarajeswari

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Thoothukudi Town,
Thoothukudi District.

2.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Thoothukudi District.
Crime No.327 of 2025.

3.Jayarani

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Additional Sessions Judge for PCR cases, Thoothukudi, to accept the surrender of the petitioner and to consider the bail application on the same day in accordance with law of her surrender in connection with Crime No.327 of 2025, on the file of the Inspector of Police, Thoothukudi South Police Station, Thoothukudi.



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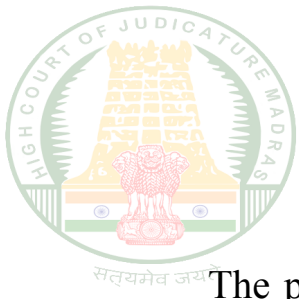
For Petitioner : Mr.B.Jeyakumar
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The second respondent police has registered a case as against the petitioner for the alleged offence punishable under Sections 296(b), 351(2) of BNS and Sections 3(1)(r), 3(1)(s) of SC/ST (POA) Amendment Act 2015, in Crime No.327 of 2025, on the file of the second respondent police.

2.Mr.P.Kottaichamy, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2 and submits that the petitioner and the complainant are neighbours and the major allegation as against this petitioner is threat. Therefore, the complainant has lodged a complaint as against this petitioner, based on which, a case was registered by the respondent police as stated above.

3.Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act.



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The petitioner claims that this case is a foisted one and he will prove his innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioner seeks a direction for disposal of the bail application on the same day.

4.This Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioner prays for similar directions.

5.Considering the facts and circumstances, the similar such orders passed by this Court, this petition is disposed of with a direction to the petitioner to surrender before the learned Additional Sessions Judge for PCR Cases, Thoothukudi, within a period of two weeks from the date of receipt of a copy of this order and the learned Judge of the Special Court is directed to entertain the bail application if any filed by this petitioner on the same day. The Public Prosecutor concerned is



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expected to be available in the Court and the Public Prosecutor can very well get instructions with the available scientific modes. The bail application in any event shall be disposed on merits on the same day.

03.06.2025

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

To

- 1.The Additional Sessions Judge for PCR cases, Thoothukudi
- 2.The Deputy Superintendent of Police,
Thoothukudi Town,
Thoothukudi District.
- 3.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
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