



CRL OP(MD). No.8422 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 09.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Muthuraman ... Petitioner/Accused No.1
(*Wrongly mentioned as Muthuramalingam
in FIR instead of Muthuram*)

Vs

1.State of Tamil Nadu,
Rep. by The Deputy Superintendent of Police,
Aranthangi, Pudukottai District.

2.The Inspector of Police,
Manalmelkudi Police Station,
Manalmelkudi, Pudukottai District.
(Crime No.67/2025)

3.Murugesan ... Respondents/Complainant

For Petitioner : Mr.P.Ponraj

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor for R1 and R2

PRAYER : Petition filed under Section 528 of BNSS, 2023, to direct the learned Judge, Special Court for Exclusive Trial of SC/ST (Prevention

1/5



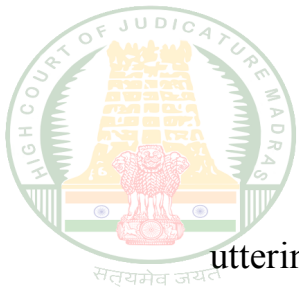
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of Atrocities) Act Cases, Pudukottai to consider the anticipatory bail application of the petitioner on the same of his surrender before the Court in connection with Crime No.67/2025 on the file of the second respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 05.05.2025 under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to direct the Judge, Special Court for Exclusive Trial of SC/ST (Prevention of Atrocities) Act Cases, Pudukottai to accept the surrender of the petitioner and consider the bail petition on the very same day in Crime No.67 of 2025 on the file of the respondent-Police for the offence punishable under Sections 296(b), 115(2), and 351(2) of BNS, 2023, and Section 3(1)(r), 3(1)(s) and 3(2)(Va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 on the file of the respondent-Police.

2. The case of the prosecution is that on 27.04.2025, at about 05.30 a.m., while the defacto complainant was cleaning the Selliyanman Temple, the petitioner and other accused persons came to the Temple, assaulted him, abused him in filthy language and also abused him by



uttering his caste name. Hence, the case.

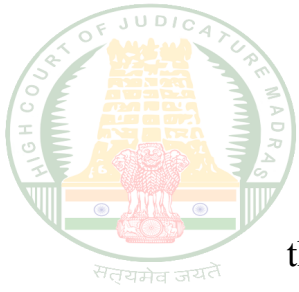
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3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely roped in this case. Accordingly, he prayed to allow this Criminal Original Petition.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that the investigation is going on. Accordingly, he prayed to dismiss this petition.

5. In view of the amendments made in SC and ST (POA) Act, 1989, this Court is of the view that the directions that would usually be issued by this Court cannot be issued routinely in all cases. Considering the facts and circumstances of the case, this Court is inclined to pass the following orders:

- (i) The petitioner shall surrender before the learned Judge, Special Court for Exclusive Trial of SC/ST (Prevention of Atrocities) Act Cases, Pudukottai, within a period of fifteen (15) days from today; and
- (ii) On such surrender along with notice served to the defacto complainant, the concerned Judge shall consider the bail application filed by the petitioner and pass orders on merits on



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the same day of his surrender, after hearing the defacto complainant in compliance with Section 15A(3) of the SC and ST (POA) Act, 1989.

6. Accordingly, this Criminal Original Petition is allowed with directions stated *supra*.

(R S V J)
09.05.2025

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Note: Issue Order copy on 12.05.2025

TO

1. The Judge,
Special Court for Exclusive Trial of
SC/ST (Prevention of Atrocities) Act Cases,
Pudukottai.
2. The Deputy Superintendent of Police,
Aranthangi, Pudukottai District.
3. The Inspector of Police,
Manalmelkudi Police Station,
Manalmelkudi, Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.SAKTHIVEL,J

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Date : 09.05.2025