



CRL OP(MD). No.8594 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 09.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8594 of 2025

1.Valarmathi

2.Kannan

... Petitioners/A2 & A3

Vs

1.State of Tamil Nadu,  
Rep. by The Deputy Superintendent of Police(Rural),  
Nilakottai, Nilakottai Taluk,  
Dindigul District.

2.The State of Tamil Nadu,  
Rep. by Inspector of Police,  
Batlagundu Police Station,  
Dindigul District.  
(Crime No.159/2025)

3.Vijayalakshmi

... Respondents/Complainant

For Petitioners : Mr.S.Sarvagan Prabhu

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

1/6



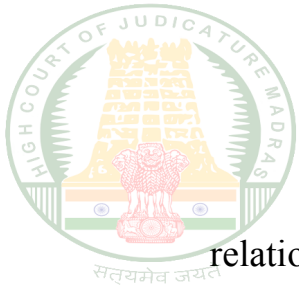
CRL OP(MD), No.8594 of 2025

learned Sessions Judge, Special Court for Exclusive Trial of SC/ST (Prevention of Atrocities) Act Cases, Dindigul District to dispose the bail application filed by the petitioners on merits on the same day on their surrender before the above mentioned concerned Court in pending investigation of Crime No.159 of 2025 on the file of he Inspector of Police, Batlagundu Police Station, Dindigul District.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 06.05.2025 under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to direct the Sessions Judge, Special Court for Exclusive Trial of SC/ST (Prevention of Atrocities) Act Cases, Dindigul District to accept the surrender of the petitioners and consider the bail petition on the very same day in Crime No.159 of 2025 on the file of the 2<sup>nd</sup> respondent-Police for the offence punishable under Sections 296(b), 316(2), 49 and 351(2) of BNS, 2023, and Sections 3(1)(w)(ii) and 3(2) (Va) of SC/ST (Prevention of Atrocities) Amendment Act, 1989 on the file of the 2<sup>nd</sup> respondent-Police.

2. The case of the prosecution is that the defacto complainant is a married woman and has two children and at present, she is living separately from her husband. A1 and the defacto complainant developed



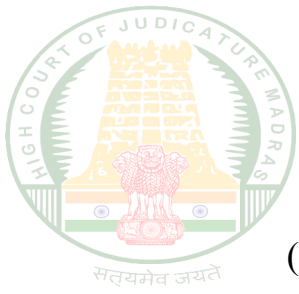
CRL OP(MD), No.8594 of 2025

relationship and A1 supported the defacto complainant financially. On knowing that the defacto complainant belonged to Scheduled Caste community, A1 avoided her. A2 to A4 contacted the defacto complainant through mobile phone and threatened her with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have 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:



CRL OP(MD), No.8594 of 2025

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(i) The petitioners shall surrender before the learned Sessions Judge, Special Court for Exclusive Trial of SC/ST (Prevention of Atrocities) Act Cases, Dindigul District, 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 petitioners and pass orders on merits on the same day of their 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

*mbi*

*Note: Issue Order copy on 12.05.2025*

TO

4/6



CRL OP(MD), No.8594 of 2025

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



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CRL OP(MD), No.8594 of 2025

R.SAKTHIVEL,J

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CRL OP(MD) No.8594 of 2025

Date : 09.05.2025