



Crl.O.P(MD)No.8712 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.05.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P(MD)No.8712 of 2025

1.(*)Vairavan(Ulavu)

2.Perumal

2.Jeyabarathi @ Sayabharathi

... Petitioners / Accused Nos.3,4 & 6

Vs.

1.The Deputy Superintendent of Police,
Tirupathur Sub Division,
Tirupathur,
Sivagangai District.

... Respondent / Investigation Officer

2.The State of Tamil Nadu,
Rep. By Inspector of Police,
S.V.Mangalam Police Station,
S.V.Mangalam,
Sivagangai District.

.... Respondent / Complainant

3.Nagendiran

... Respondents / Defacto Complainant



Crl.O.P(MD)No.8712 of 2025

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., / 528 of B.N.S.S., to direct the learned Special Judge for Trial of cases under SC/ST (POA) Act, Sivagangai District to dispose of the bail application to be filed by the petitioners on merits on the same day of their surrender before the above mentioned Court in pending investigation of Crime No.53 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Mohanasundaram

For R-1 & R-2 : Mr.M.Karunanithi

Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the learned Special Judge for Trial of cases under SC/ST (POA) Act, Sivagangai District to consider the petitioners' bail petition on merits upon the petitioners' surrender before the said Court and enlarge the petitioners on bail on the same day in Crime No.53 of 2025 on the file of the second respondent police.

2. Heard the learned Counsels on either side 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 considering the facts and circumstances of the case, there shall be a direction to the learned Special Judge for Trial of cases under SC/ST (POA) Act, Sivagangai District to consider the petitioners' bail application,



Crl.O.P(MD)No.8712 of 2025

WEB COPY

preferably on the same day of their surrender in connection with Crime No.53 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.

Sd/-

14/05/2025

(*)Corrected as per order of this Court dated 15/07/2025 made in Crl OP(MD)No.8712 of 2025

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2025

Sub Assistant Registrar(CS)

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Crl.O.P(MD)No.8712 of 2025

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1.The Special Judge for Trial of cases under SC/ST (POA) Act,
Sivagangai District.

2.The Deputy Superintendent of Police,
Tirupathur Sub Division,
Tirupathur,
Sivagangai District.

3.The Inspector of Police,
S.V.Mangalam Police Station,
S.V.Mangalam,
Sivagangai District.

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

+1 CC to M/s.M.MOHANASUNDARAM, Advocate (SR-30905[F] dated
16/05/2025)

+1CC to M/s.Radhakrishnan,Advocate(SR.No.44218)

Crl.O.P(MD)No.8712 of 2025

14.05.2025

KVL(19/05/2025) 4P/ 6C

MGJ(29/07/2025) 4P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.