



Crl.O.P.(MD)No.9023 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 21.05.2025

CORAM

THE HONOURABLE MR. JUSTICE P.VADAMALAI

Crl.O.P.(MD)No.9023 of 2025

1.Mareeswaran,
S/o.Ramachandran

2.Pandi Muni,
S/o.Muppudathi

... Petitioners / Accused Nos.1 & 2

Vs.

1.The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
Sankarankovil Town Police Station,
Tenkasi District.

2.The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.
(Crime No.423 of 2025)

...1st & 2nd Respondents /
Complainants

3.Anantha Kumar,
S/o.Selvaraj

... 3rd Respondent /
Defacto Complainant



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PRAYER: Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to direct the learned Special Court for SC/ST Act Cases, Tenkasi / Principal District and Sessions Judge, Tenkasi to consider the bail application for the petitioners on the same day of their surrender before the Court in connection with Crime No.423 of 2025 on the file of the second respondent police.

For Petitioners : Mr.B.Janarth Kumar,
Advocate

For R1 and R2 : Mr.K.Gnanasekaran,
Government Advocate
(Criminal Side)

ORDER

This petition has been filed seeking for a direction to the learned Special Court for SC/ST Act Cases, Tenkasi / Principal District and Sessions Judge, Tenkasi, to consider and dispose of the petitioners' bail applications on the same day of their surrender in respect of Crime No. 423 of 2025 on the file of the second respondent police.



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2. 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 possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Special Court for SC/ST Act Cases, Tenkasi / Principal District and Sessions Judge, Tenkasi, to consider the petitioners' bail applications on merits, preferably on the same day of their surrender in connection with Crime No.423 of 2025 on the file of the second respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under Section 15(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) 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.

3. 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. Mere direction issued by



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this Court to consider the bail petition on the same day does not amount to consider it favourably.

4. With the above direction, the Criminal Original Petition stands allowed.

**21.05.2025
(PVMJ)**

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
pal

To

- 1.The Special Court for SC/ST Act Cases, Tenkasi /
Principal District and Sessions Judge,
Tenkasi.
- 2.The Deputy Superintendent of Police,
Sankarankovil Town Police Station,
Tenkasi District.
- 3.The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

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Order made in
CrI.O.P.(MD)No.9023 of 2025

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