



CrI.O.P.(MD)No.9517 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.9517 of 2025

Kamudurai

... Petitioner

Vs

1.The State of Tamilnadu
Represented by
The District Superintendent of Police,
Theni.

2.The Inspector of Police,
Veerapandi Police Station,
Theni District.

3.Uthayasoorian

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Principal District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Theni, to accept the surrender of the petitioner and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.112 of 2025, on the file of the respondent.



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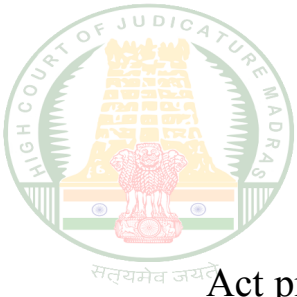
Crl.O.P.(MD)No.9517 of 2025

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

ORDER

The petitioner is the accused in Crime No.112 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offence under Sections 318 (4), 296(B), 351(2) of BNS Act, 2023 and r/w Section 3(1) r, 3(1)(s), 3(2)(va) of SC ST (Prevention of Atrocities) Act, 1989, Therefore, the petitioner has filed this petition seeking a direction to Special Court concerned to dispose of his bail application on the date of surrender.

2.The learned Counsel for the petitioner submits that the petitioner has borrowed a sum of Rs.1,50,000/- from the defacto complainant, for which, the defacto complainant is claiming the petitioner's property worth about Rs.6,00,000/-. Therefore, there is a dispute between the petitioner and the defacto complainant. The petitioner claims that he has not committed any offence as alleged by the prosecution. He further submits that Section 18 of the SC/ST (POA)



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Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. 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. Therefore, the petitioner seeks a direction for disposal of the bail application on the same day.

3.Mr.P.Kottaichamy, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2 and submits that the petitioner has sold his property in S.No.954 to the defacto complainant on receipt of advance amount of Rs.6 Lakhs and failed to execute the sale agreement. When the defacto complainant questioned the same, the petitioner has abused him by using his caste name. Therefore, a case in Crime No.112 of 2025 has been registered.

4.Considering the facts and circumstances of the case, this Criminal Original Petition is ordered with a direction to the petitioner to surrender within a period of two weeks from the date of receipt of a copy of this order before the learned Principal District and Sessions Judge, Special Court for Scheduled Castes and Scheduled Tribes



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(Prevention of Atrocities) Act, 1989, Theni and the learned Judge of the Special Court is directed to entertain the bail application, if any filed by the petitioner on the same day. The Public Prosecutor concerned is expected to be available in the Courts 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.

09.06.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn

To

- 1.The Principal District and Sessions Judge,
Special Court for Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act, 1989, Theni.
- 2.The District Superintendent of Police,
Theni.
- 3.The Inspector of Police,
Veerapandi Police Station,
Theni 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
Crl.OP(MD)No.9517 of 2025

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