

CrI.O.P.(MD)No.9639 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.9639 of 2025

1.Deepak @ Deepakumar

2.Jegatheewaran

3.Babu @ Babu Muniyasamy

4.Mani @ Manikandan

5.Sivarathinam @ Sivarathinam Raja

... Petitioners

Vs.

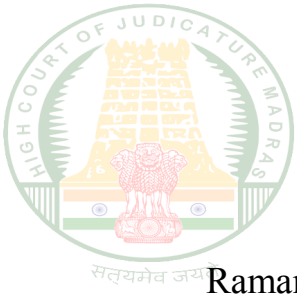
1.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

2.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.256 of 2025)

3.Muneeshwaran

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to
direct the Special Court for the Exclusive trial of SC and ST Cases,



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Ramanathapuram to consider the bail application of the petitioners to be filed before the said Court on the same day in Crime No.256 of 2025 dated 28.05.2025 pending on the file of the second respondent Police.

For Petitioners : Mr.D.Balamurugapandi
For R1 & R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

ORDER

The petitioners are accused Nos.1, 2, 5 to 7 in Crime No.256 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 189(2), 296(b), 115(2), 351(3) BNS, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Amendment Act, 2015. Therefore, the petitioners have filed this petition seeking a direction to the Special Court for the Exclusive trial of SC and ST Cases, Ramanathapuram, to consider their bail application on the same day of their surrender.

2.According to the learned counsel for the petitioners, the defacto complainant has assaulted the friend of the petitioners, who is disabled



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person, for which, a complaint was preferred by the petitioners. However, the respondent Police registered the present case, based on the false complaint preferred by the defacto complainant. The learned counsel appearing for the petitioners submits that section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. He further submits that this case is a foisted one and the petitioners will prove their innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioners are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek a direction for disposal of the bail application on the same day. He further submits that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed by the accused on the same day of their surrender.

3.The learned Government Advocate (Crl. Side) appearing for the official respondents submits that the injured person has been discharged from the hospital.

4.Since the injured person has been discharged from the hospital, this Court is inclined to dispose of this criminal original petition.



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5. Accordingly, this Criminal Original Petition is disposed of with a direction to the petitioners to surrender before the Special Court for the Exclusive trial of SC and ST Cases, Ramanathapuram, within a period of two weeks from the date of receipt of a copy of this order 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. In the meantime, the petitioners shall serve a copy of the bail petition well in advance to the defacto complaint along with the proposed date of their surrender, enabling the complainant to submit their arguments, if any. The Public Prosecutor concerned is expected to be available in the Court 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.

24.06.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
gns



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To

- 1.The Special Court for the Exclusive trial of SC and ST Cases,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
- 3.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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