



Crl.O.P.(MD)No.9703 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.9703 of 2025

Prabakar @ Prabhu

... Petitioner

Vs

1.The State of Tamilnadu
Represented by
The Deputy Superintendent of Police,
Tiruvarur,
In charge-Mannarkudi Sub Division,
Tiruvarur District.

2.The Inspector of Police,
Thirumakottai Police Station,
Tiruvarur District.
Crime No.26 of 2025.

3.Gajendran

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judge, I Additional District Court for SC/ST (Prevention of Atrocities) Act cases, Thanjavur District to accept the surrender of the petitioner/accused and consider his bail application on the same day, on merits in relating to Crime No.26 of 2025, dated 04.06.2025, on the file of the second respondent police.



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

ORDER

The petitioner is the accused in Crime No.26 of 2025 on the file of the second respondent Police. The said case was registered for the offence under Sections 191(2), 296(b), 115(2) of BNS 2023 r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST(POA) Amendment Act, 2015. 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 defacto complainant has put a flex board and the same was objected by the petitioner and the petitioner is said to have kicked and slapped the defacto complainant. According to the learned counsel, no weapon was used and the injury sustained by the defacto complainant is simple in nature and he was treated as outpatient only. He further submits that



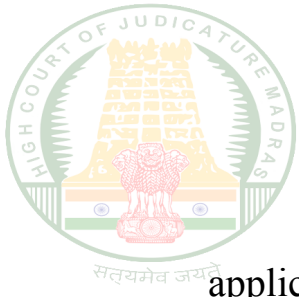
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Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is inclined to surrender before the Special Court concerned 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 respondent and confirms the overt act as against this petitioner that no weapon has been used by the petitioner and the injured has been treated as outpatient as the injury is simple in nature.

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 Judge, I Additional District Court for SC/ST (Prevention of Atrocities) Act cases, Thanjavur District and the learned Judge of the Special Court is directed to entertain the bail



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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.

11.06.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn

To

- 1.The I Additional District Court for SC/ST (Prevention of Atrocities) Act cases, Thanjavur District
- 2.The Deputy Superintendent of Police,
Tiruvarur,
In charge-Mannarkudi Sub Division,
Tiruvarur District.
- 3.The Inspector of Police,
Thirumakottai Police Station,
Tiruvarur District.



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B.PUGALENDHI,J

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Order made in
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