



Crl.O.P.(MD)No.9746 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

Crl.OP(MD)No.9746 of 2025

Nadarajan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Aranthangi Division,
Aranthangi,
Pudukkottai District.

2.The Sub Inspector of Police,
Embal Police Station,
Embal,
Pudukkottai District.
(Crime No.7 of 2025)

3.Banumathy

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities)Act, 1989, Pudukkottai to accept the surrender of the petitioner / Sole Accused and consider his bail application and grant bail on the date of surrender itself in Crime No.7 of 2025 dated 02.06.2025 on the file of the second respondent Police.



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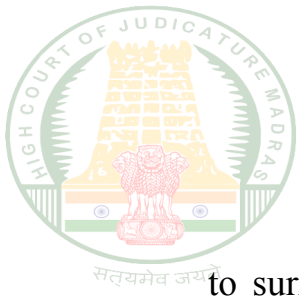
CrI.O.P.(MD)No.9746 of 2025

For Petitioners : Mr.K.C.Maniyarasu
For R1 & R2 : Mr.P.Kottaichamy,
Government Advocate (CrI. Side)

ORDER

The petitioner is the sole accused in Crime No.7 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 296(b), 115(2), 118(1), 351(2) BNS, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition seeking a direction to the Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989, Pudukottai to consider their bail application on the same day of their surrender.

2.The learned counsel appearing for the petitioner 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 petitioner will prove his innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is inclined



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to surrender before the Special Court concerned and to seek regular bail.

However, the petitioner seeks 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 victim sustained only simple injuries.

4.Considering the submissions made on either side, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities)Act, 1989, Pudukottai, 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 petitioner shall serve a copy of the bail petition well in advance to the defacto complainant along with the proposed date of their surrender, enabling the complainant to submit their arguments, if any. The Public Prosecutor concerned is



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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 Schedule Castes and
Schedule Tribes (Prevention of Atrocities)Act, 1989,
Pudukottai.
- 2.The Deputy Superintendent of Police,
Aranthangi Division,
Aranthangi,
Pudukkottai District.
- 3.The Sub Inspector of Police,
Embal Police Station,
Embal,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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