



Crl.O.P.(MD)No.9997 of 2025

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 25.06.2025

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

Crl.OP(MD)No.9997 of 2025

1. Palanidurai
2. Packirisamy
3. Gangadevi

... Petitioners

versus

1. The Deputy Superintendent of Police,  
Thiruvarur,  
Thiruvarur District.

2. State through  
The Inspector of Police,  
Edaiyur Police Station,  
Thiruvarur.

3. Arulselvan

...Respondents

**Prayer :** Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Principal District and Sessions Judge (PCR), Thanjavur, to consider the bail application to be filed by the petitioners on the same day in Crime No.49 of 2025 pending on the file of the 2<sup>nd</sup> respondent Police.

For Petitioners : Mr.K.Kumaravel

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

For R3 : No appearance



WEB COPY



CrI.O.P.(MD)No.9997 of 2025



CrI.O.P.(MD)No.9997 of 2025

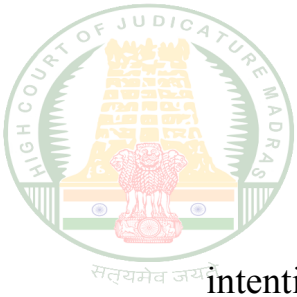
WEB COPY

## **ORDER**

The petitioners are accused in Crime No.49 of 2025 on the file of the 2<sup>nd</sup> respondent Police. The said case was registered for the offences under Sections 296(b), 118(1), 351(3) of BNS 2023 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amended Act, 2015. Therefore, the petitioners have filed this petition, seeking a direction to the learned Principal District and Sessions Judge (PCR), Thanjavur, to consider their bail application on the same day of their surrender.

2. Admittedly, the defacto complainant's mother borrowed money from the accused Nos.2 and 3. Therefore, they went to the defacto complainant's house and demanded repayment of money, which has been borrowed by the defacto complainant's mother. At that time, there was a wordy quarrel and that has been exaggerated. Therefore, this case has been registered as against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners and the defacto complainant are in good relationship and they have only parted with the loan amount. The petitioners do not have any



CrI.O.P.(MD)No.9997 of 2025

WEB COPY

intention to abuse them by degrading their community. Since the petitioners have demanded the loan amount, which has been borrowed by the defacto complainant's mother, this case has been foisted against them. He further submitted that 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 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 submitted that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioners prayed for similar directions.

4. Considering the submissions made by the learned counsel for the petitioners, this Court, on 16.06.2025, ordered notice to the third respondent/defacto complainant. Though notice was served on the 3<sup>rd</sup> respondent and his name has also been printed in the cause list, the defacto complainant has not entered appearance.



Crl.O.P.(MD)No.9997 of 2025

WEB COPY

5. The learned Government Advocate (Crl. Side) submitted that in this case, the defacto complainant has suffered simple injuries.

6. Considering the fact that there was a money transaction between the accused Nos.2 and 3 and the defacto complainant's mother and also considering the nature of injury, this Criminal Original Petition is disposed of with a direction to the petitioners to surrender before the learned Principal District and Sessions Judge (PCR), Thanjavur, 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 petitioners 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.

**25.06.2025**

NCC : Yes/No

Index : Yes/No

Internet: Yes

ogy

5/7



CrI.O.P.(MD)No.9997 of 2025

WEB COPY

To

1. The learned Principal District and Sessions Judge (PCR),  
Thanjavur.
2. The Deputy Superintendent of Police,  
Thiruvarur,  
Thiruvarur District.
3. The Inspector of Police,  
Edaiyur Police Station,  
Thiruvarur.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



CrI.O.P.(MD)No.9997 of 2025

**B.PUGALENDHI, J.**

ogy

**CrI.OP(MD)No.9997 of 2025**

**25.06.2025**