

Crl.O.P.(MD)No.10245 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10245 of 2025

Chithra

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
Usilampatti Range,
Madurai District.

2.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
Crime No. 212/2025.

3.Munishwari

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai to consider the bail application on his surrender on the same day if any petition filed by the petitioner in Crime No. 212/2025 on the file of the 2nd respondent.



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For Petitioner
For R1 & R2

: Mr.K.Sathish Kumar,
: Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioner is the accused in Crime No.212 of 2025, on the file of the second respondent Police. The said case was registered for the alleged offence punishable under Sections 126(2), 296(b), 351(2) of BNS r/w Section 3(1)(r) and 3(1)(s) of SC/ST (POA) Amendment Act, 2015. Therefore, the petitioner has filed this petition seeking a direction to Special Court concerned to dispose of their bail applications on the date of surrender.

2.The allegation as against this petitioner is that she has borrowed a sum of Rs.4,00,000/- from the defacto complainant and repaid a sum of Rs.70,000/- alone. When the defacto complainant has demanded the balance amount, the petitioner has abused him in filthy language and by referring his caste name. Therefore, this case.



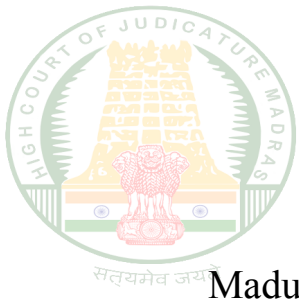
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3.The learned counsel for the petitioner claims that the petitioner has already settled the entire amount, which she has borrowed from the defacto complainant, however, the defacto complainant is demanding exorbitant interest, with the influence as a self help group member and he has also foisted this false complaint. He further 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. 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. Therefore, the petitioners seek a direction for disposal of the bail application on the same day.

4.Mr.P.Kottaichamy, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2 and submits that no one is injured in this case and it is a money dispute.

5.Considering the facts and circumstances, this petition is disposed of with a direction to the petitioners to surrender before the learned III Additional District and Sessions Judge (PCR Court),



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Madurai, 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 applications if any filed by these petitioners on the same day. 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.

18.06.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn

To

1.The III Additional District and Sessions Judge (PCR Court),
Madurai,

2.The Deputy Superintendent of Police,
Usilampatti Range,
Madurai District.

2.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.



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B.PUGALENDHI,J

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Order made in
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