

CrI.O.P.(MD)No.10266 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

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1. Subramani @ Subramanian
2. Senthil
3. Selvam @ Selvaraj Chinnusamy
4. Natchimuthu Vellaisamy
5. Ramasamy Thangavel
6. Karthikeyan

... Petitioners

Vs

1. The State of Tamil Nadu, rep. by
The Deputy Superintendent of Police,
Palani Taluk,
Dindigul District.
2. The Sub Inspector of Police,
Swaminathapuram Police Station,
Dindigul District.
3. Dharmalingam

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to accept the surrender of the petitioners in Cr.No.92 of 2025 pending on the file of the respondent Police by the learned Principal District and Sessions Judge (PCR Court), Dindigul and enlarge the petitioners on bail on the same day of surrender.



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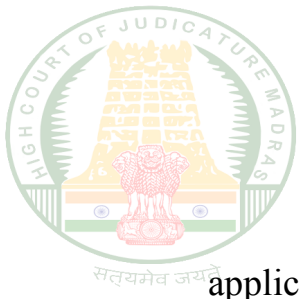
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For Petitioners : Mr.N.Jeyaram Sidharth
For R1 & R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

ORDER

The petitioners are accused Nos.5 to 10 in Crime No.92 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 329(3), 324(4), 336(3) of BNS 2023 and Sections 3(1)(f), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989. Therefore, the petitioners have filed this petition seeking a direction to the learned Principal District and Sessions Judge (PCR Court), Dindigul, to consider their bail application on the same day of their surrender.

2. 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



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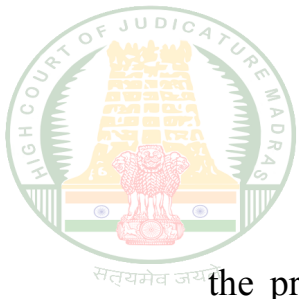
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application on the same day. He further submits that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed by the accused on the same day of their surrender. He further submits that this Court has already granted similar directions to the co-accused, namely, A1 to A4. Therefore, by relying upon the same, the petitioners pray for similar directions.

3. Heard the learned Government Advocate (CrI. Side).

4. Since this Court has already granted similar directions to the co-accused, this Court is inclined to dispose of this criminal original petition.

5. Accordingly, this Criminal Original Petition is disposed of with a direction to the petitioners to surrender before the learned Principal District and Sessions Judge (PCR Court), Dindigul, 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



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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.

19.06.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Principal District and Sessions Judge,
(PCR Court), Dindigul.
2. The Deputy Superintendent of Police,
Palani Taluk,
Dindigul District.
2. The Sub Inspector of Police,
Swaminathapuram Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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