

Crl.O.P.(MD)No.10246 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10246 of 2025

1.Muthuramalingam

2.Annamayil

... Petitioners

Vs.

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

2.The Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.196 of 2025)

3.Perumayi

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the District and Sessions cum Special Court for SC/ST (POA), Dindigul District to accept the surrender of the petitioners along with bail application in Crime No.196 of 2025 on the file of the second respondent Police herein and to consider and dispose the bail application on the same day on merits.

For Petitioners : Mr.C.Bharathi



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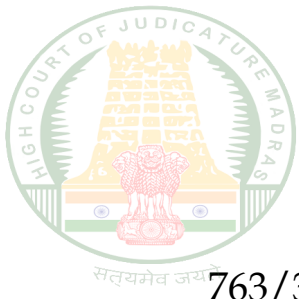
For R1 & R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For R3 : No Appearance

ORDER

The petitioners are A1 & A2 in Crime No. 196 of 2025 on the file of the second respondent Police. The said case was registered for the offences under Sections 296(b), 115(2), 351(2) BNS, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 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 petitioners have filed this petition seeking a direction to the District and Sessions cum Special Court for SC/ST (POA), Dindigul District to consider their bail application on the same day of their surrender.

2.The learned counsel appearing for the petitioners submits that the first petitioner is the owner of the property in S.No.

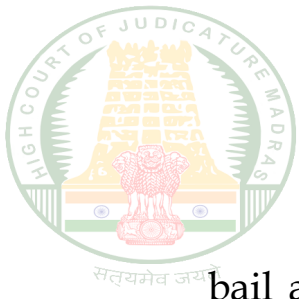


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763/3 to the extent of 77 cents and he has purchased the said property from one Rameshkannan, vide registered document No.1680/2023 dated 18.08.2023. The defacto complainant has lodged a complaint that she is in possession of the property and while she was working in her land, the petitioners have abused her and pushed her. Based on the complaint, case in Cr.No.196 of 2025 came to be registered. He further submits that the defacto complainant has been discharged from the hospital.

3.The learned counsel for the petitioners also 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



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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.

4.The learned Government Advocate (Crl. Side) appearing for the official respondents submits that the defacto complainant has been discharged from the hospital. Further, he submits that the defacto complainant is old lady and they are having civil dispute and she is in possession and the petitioners herein have attempted to evict her.

5.This Court has considered the submissions made on either side and perused the available materials placed before this Court.

6.Since it is reported that the injured person has been discharged from the hospital, this Criminal Original Petition is



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allowed with a direction to the petitioners to surrender before the District and Sessions cum Special Court for SC/ST (POA), Dindigul District, 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.

21.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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To

- 1.The District and Sessions cum Special Court for SC/ST (POA),
Dindigul District.
- 2.The Deputy Superintendent of Police,
Dindigul District, Dindigul.
- 3.The Inspector of Police,
Sempatti 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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