



Crl.O.P.(MD)No.10264 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

Crl.OP(MD)No.10264 of 2025

Muthu Irulandi

... Petitioner

Vs

1. The State of Tamil Nadu, rep. by
The Deputy Superintendent of Police,
Aruppukottai Division,
Virudhunagar District.

2. The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.

3. Balamurugan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for the Exclusive trial of SC/ST Cases, Srivilliputhur, Virudhunagar to consider the bail application of the petitioner on the same day of filing in Crime No.139 of 2025 on the file of the 2nd respondent Police Station.

For Petitioner : Mr.N.Jeyaram Sidharth

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



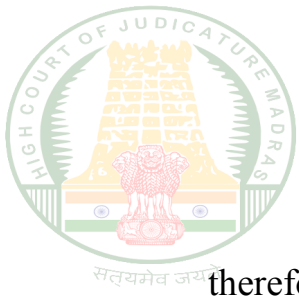
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ORDER

The petitioner is an accused in Crime No.139 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 189(2), 126(2), 118(2), 115(2) of BNS and Sections 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST (POA) Act, 1989. Therefore, the petitioner has filed this petition seeking a direction to the Special Court for the Exclusive trial of SC/ST cases, Srivilliputhur, Virudhunagar, to consider his bail application on the same day of 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 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 on the same day of their surrender and



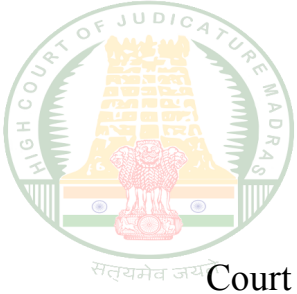
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therefore, by relying upon the similar orders, the petitioner prays for similar directions.

3. Mr.P.Kottaichamy, learned Government Advocate (CrI.side) takes notice for the respondents 1 and 2 and submits that the petitioner along with others is said to have assaulted the defacto complainant when he attempted to abduct his sister. According to him, it is only a simple injury and the victim has also been discharged from the hospital.

4. Considering the facts and circumstances and also considering the fact that the victim has been discharged from the hospital, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the Special Court for the Exclusive Trial of SC/ST cases, Srivilliputhur, Virudhunagar, 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 complaint along with the proposed date of surrender, enabling the complainant to submit their arguments, if any. The Public Prosecutor concerned is expected to be available in the



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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 Special Court for the Exclusive trial of SC/ST Cases,
Srivilliputhur,
Virudhunagar.
2. The Deputy Superintendent of Police,
Aruppukottai Division,
Virudhunagar District.
3. The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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