

Crl OP(MD)No.10372 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20.06.2025

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl OP(MD)No.10372 of 2025

Vasanth @ Vallikannu

... Petitioner

versus

1. The State of Tamil Nadu,
The Assistant Commissioner of Police,
Palayamkottai, Tirunelveli City.

2.The Inspector of Police,
Palayamkottai,
Tirunelveli City.
[Crime No.316 of 2025]

3.Satheesh

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, to Direct the Additional District Court-II (Special Court for trial u/s. SC/ST (POA) Amendment Act Cases), Tirunelveli to accept the surrender of the petitioner/accused No.2 and consider his bail application on the same day in connection with Crime No.396 of 2025 on the file of the 2nd respondent police.



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For Petitioners : Mr.N.Marimuthu
For R1 and R2 : Mr.P.Kottaichamy
Government Advocate (Crl. side)

ORDER

The petitioner is an accused in Crime No.396 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offence under Sections 191(2), 296(b), 115(2), 351(2) of BNS and Sections 3(1)(r), 3(1)(s) 3(1)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act. Therefore the petitioner has filed this petition seeking a direction to the Special Court concerned to dispose of his bail application on the date of surrender.

2.The learned Counsel for the petitioner submits that according to the de facto complainant, the petitioner and others went to the defacto complainant's shop to purchase footwear and there was wordy quarrel and the petitioner and others abused him by using



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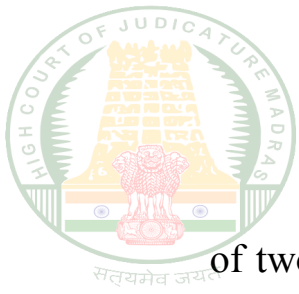
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his caste name. According to the learned Counsel for the petitioner, the petitioner was not even aware of the caste of the defacto complainant, however a false complaint has been lodged as if the petitioner along with others has abused him by using caste name. Further the co-accused have been granted bail. 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 petitioner is inclined to surrender before the Special Court concerned and to seek regular bail. Therefore, the petitioner seeks a direction for disposal of the bail application on the same day.

3.Heard the learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2.

4.Considering the facts and circumstances of the case and the co-accused have been granted bail, this Criminal Original Petition is ordered with a direction to the petitioner to surrender within a period

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of two weeks from the date of receipt of a copy of this order before the Special Court for Trial of Cases under SC & ST (POA) Act, Tirunelveli, which, in turn, is directed to entertain the bail application if any filed by the petitioner on the same day. The Public Prosecutor concerned is expected to be available in the Courts 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.

20.06.2025

DSK

To

- 1.II Additional District Judge,
Special Court for Trial of Cases
under SC & ST (POA) Act,
Tirunelveli.
- 2.The Assistant Commissioner of Police,
Palayamkottai, Tirunelveli City.
- 3.The Inspector of Police,
Palayamkottai, Tirunelveli City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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B.PUGALENDHI, J.

DSK

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