

Crl.O.P.(MD)Nos.11262, 11356 & 11366 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)Nos.11262, 11356 & 11366 of 2025

Vijay ... Petitioner
in Crl.OP(MD)No.11262/ 2025

Vellaiyan @ Muraliraja ... Petitioner
in Crl.OP(MD)No.11356/ 2025

Mareeswaran ... Petitioner
in Crl.OP(MD)No.11366/ 2025

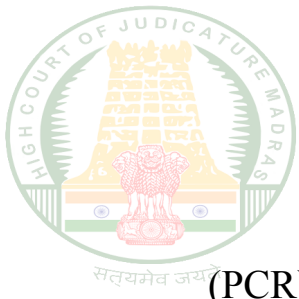
Vs

1.The District Superintendent of Police,
Uthamapalayam Sub Division,
Theni District.

2.The Sub Inspector of Police,
Rayappanpatti Police Station,
Theni District.
Crime No.130/2025.

3.Divya Devi ...Respondents in all
Crl.OPs

Common Prayer : Criminal Original Petitions filed under Section 528
of BNSS, to direct the learned Additional District and Sessions Judge,



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(PCR), Theni, to consider the bail application of the petitioner, on the same day to surrender on merits in Crime No.130 of 2025, on the file of the second respondent.

For Petitioner : Mr.S.Sundarapandian
(Crl.OP(MD) No.11262 of 2025)
For Petitioner : Mr.C.Susikumar
(Crl.OP(MD) No.11356 of 2025)
For Petitioner : Mr.S.Prabha
(Crl.OP(MD) No.11366 of 2025)
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)
(in all Crl.OPs)

COMMON ORDER

The petitioners are accused 1 to 3 in Crime No.130 of 2025, on the file of the second respondent Police. The said case was registered for the alleged offence punishable under Sections 296(b), 115(2), 351(3) of BNS, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s), 3(1)(w) (i) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act 1989. Therefore, the petitioners have filed these petitions, seeking a direction to the Special Court concerned to dispose of their bail applications on the day of their surrender.



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2.The learned counsel for the petitioners submitted that it is a trivial dispute in the Village and the same has now been amicably settled. 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.

3.Considering the submission made by the petitioners' counsel that the issue has now been settled amicably, this Court, by its order, dated 07.07.2025, directed the respondent police to serve notice on the defacto complainant for her appearance before this Court.

4.Today, when these matters are taken up for hearing, the defacto complainant is present before this Court and also submits that they have settled the issue amicably and she is not inclined to precipitate the issue any further.



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5.The learned Government Advocate (Crl.side) appearing for the official respondents has raised objections for grant of relief to A3, as he has involved in five criminal cases.

6.This Court considered the rival submissions made and also perused the materials placed on record.

7.Considering the submission of the defacto complainant that the issue has now been amicably settled between the parties and she is not inclined to precipitate the issue, this Court is inclined to grant relief to the petitioners in Crl.OP(MD) Nos.11262 & 11356 of 2025/A1 and A2 in Crime No.130 of 2025. Since it is reported that the petitioner in Crl.OP(MD) No.11366 of 2025/ A3 has involved in five previous cases, no relief is granted to him.

8.Accordingly, **Crl.OP(MD) Nos.11262 & 11356 of 2025 are ordered** and the petitioners in Crl.OP(MD) Nos.11262 & 11356 of 2025/A1 and A2 are directed to surrender before the learned Judge,



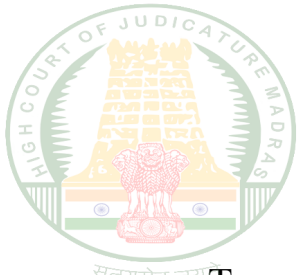
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Special Court for exclusive trial of SC/ST Act cases, Theni, within a period of two weeks from the date of receipt of a copy of this order and the learned Judge of the Special Court is directed to entertain the bail applications if any filed by the petitioners/A1 and A2 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. **Crl.OP(MD) No.11366 of 2025 is dismissed.**

18.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
vrn



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To
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- 1.The Additional District and Sessions Judge, (PCR), Theni
- 2.The District Superintendent of Police,
Uthamapalayam Sub Division,
Theni District.
- 3.The Sub Inspector of Police,
Rayapppanpatti Police Station,
Theni District.



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B.PUGALENDHI,J

vrn

Common Order made in
Crl.OP(MD)Nos.11262, 11356 & 11366 of 2025

18.07.2025