



Crl.O.P.(MD)No.11040 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11040 of 2025

1. Thangarasu Goundar @ Thangaraj
2. Muniyappan
3. Senthil @ Sivakumar
4. Kali @ Kaliappan

... Petitioners

versus

1. The Deputy Superintendent of Police,
Kulithalai Sub Division,
Karur.
2. The State of Tamil Nadu,
Rep. by the Inspector of Police,
Chinthamanipatti Police Station,
Karur District.
3. Perumal

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Principal District Judge (PCR Court), Karur, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.100 of 2025 dated 09.06.2025 on the file of the respondent.

For Petitioners : Mr.A.Thiyagarajan



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Crl.O.P.(MD)No.11040 of 2025

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

ORDER

The petitioners are accused Nos.1 to 4 in Crime No.100 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 296(b), 191(2), 126(2), 115(2) of BNS 2023 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (PoA) Act 1989. Therefore, the petitioners have filed this petition, seeking a direction to the learned Principal District Judge (PCR Court), Karur, to consider their bail application on the same day of their surrender.

2. The learned counsel appearing for the petitioners submitted that the mother of the 4th accused died on 02.06.2025 and during the death ceremony, the petitioners played a loud speaker and when the same was objected by the defacto complainant, the petitioners assaulted and also abused him. Therefore, the petitioners moved this petition. He further submitted 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



Crl.O.P.(MD)No.11040 of 2025

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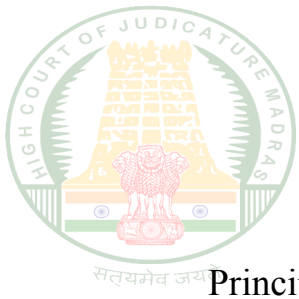
inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek a direction for disposal of the bail application on the same day. He further submitted that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioners prayed for similar directions.

3. The learned Government Advocate (Crl. Side) submits that pending this petition, the 2nd accused was arrested and he is in custody.

4. Since the 2nd accused/2nd petitioner was arrested, this Criminal Original Petition is dismissed as against the 2nd petitioner.

5. Insofar as the petitioners 1, 3 and 4 are concerned, this Court, by considering the facts and circumstances of the case, is inclined to dispose of this Criminal Original petition.

6. Accordingly, this Criminal Original Petition is disposed of with a direction to the petitioners 1, 3 and 4 to surrender before the learned



CrI.O.P.(MD)No.11040 of 2025

WEB COPY

Principal District Judge (PCR Court), Karur, 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.

01.07.2025

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

1. The Principal District Judge (PCR Court),
Karur.
2. The Deputy Superintendent of Police,
Kulithalai Sub Division,
Karur.



CrI.O.P.(MD)No.11040 of 2025

3. The Inspector of Police,
Chinthamanipatti Police Station,
Karur District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.11040 of 2025

B.PUGALENDHI, J.

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Crl.OP(MD)No.11040 of 2025

01.07.2025