



Crl.O.P.(MD)No.11399 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11399 of 2025

S.Senthilkumar

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Nanilam,
Thiruvarur District.

2. The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
Crime No. 177/2025.

3. M.Karthick

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Ist Additional District Sessions Court for PCR Cases, Thanjavur to consider the bail application on the same day of the petitioner concerned in Crime No. 177/2025 on the file of the Inspector of Police, Kodavasal Police, Thiruvarur District/first respondent herein.



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

ORDER

The petitioner is the sole accused in Crime No.177 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 296(b), 351(2) of BNS and Sections 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition seeking a direction to the Ist Additional District Sessions Court for PCR Cases, Thanjavur, to consider his bail application on the same day of his 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 seek a direction for disposal of the bail application on the same day. He further submits that this Court in similar circumstances



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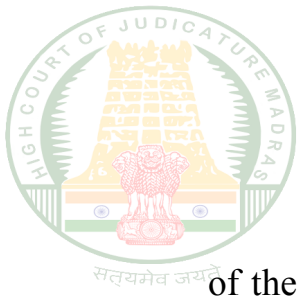
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had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed by the accused on the same day of their surrender. He further submits that there is a civil dispute between the petitioner and one Chandra Sekaran, who foisted this false complaint through his employee/defacto complainant.

3. The learned Government Advocate (Crl. Side) confirms that there is a dispute between the petitioner and one Chandra Sekaran and the defacto complainant is the employee of the said Chandra Sekaran and no one is injured in this case.

4. Since no one is injured in this case, this Court is inclined to dispose of this criminal original petition.

5. Accordingly, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the Ist Additional District Sessions Court for PCR Cases, Thanjavur, 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



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of the bail petition well in advance to the defacto complaint along with the proposed date of his 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.

07.07.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

LR

To

1. The Ist Additional District Sessions Court for PCR Cases,
Thanjavur.

2. The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Nanilam,
Thiruvarur District.

3. The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
Crime No. 177/2025.

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



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B.PUGALENDHI, J.

LR

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