



Crl.O.P.(MD)No.11217 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11217 of 2025

Parthasarathy

... Petitioner

versus

1. State of Tamilnadu,
Rep. by Deputy Superintendent of Police,
Sattur,
Virudhunagar District.

2. State of Tamilnadu,
Rep. by the Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.

3. M.Arunpandi

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Additional Sessions Court (PCR Court), Srivilliputhur, to accept the surrender of the petitioner in connection with Crime No.235 of 2025 pending investigation on the file of the 2nd respondent Police and to consider his bail application on the same day of surrender.

For Petitioner : Mr.S.Vishnuvardhan



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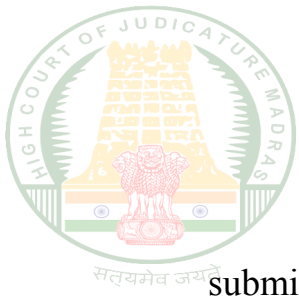
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For R1 & R2 : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl. Side)

ORDER

The petitioner is an accused in Crime No.235 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 191(2), 126(2), 296(b), 115(2), 351(2) of BNS and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act 2015. Therefore, the petitioner has filed this petition, seeking a direction to the Additional Sessions Court (PCR Court), Srivilliputhur, to consider his bail application on the same day of his surrender.

2. The learned counsel appearing for the petitioner submitted that there is no specific overt act as against the petitioner and the co-accused have been released on bail. 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 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



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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 petitioner prayed for similar directions.

3. The learned Government Advocate (Crl. Side) has also confirmed the submission made by the learned counsel for the petitioner that there is no specific overt act as against the petitioner and the co-accused have been released on bail.

4. Considering the facts and circumstances of the case and also considering the fact that the accused Nos.1 and 2 have been released on bail, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the the Additional Sessions Court (PCR Court), Srivilliputhur, 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 his surrender, enabling the complainant to submit their arguments, if any. The



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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.

03.07.2025

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

1. The Additional Sessions Court (PCR Court),
Srivilliputhur.
2. Deputy Superintendent of Police,
Sattur,
Virudhunagar District.
3. The Inspector of Police,
Sattur Town 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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