



Crl.O.P.(MD)No.11369 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 23.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11369 of 2025

1.Velmurugan
2.Gokulakrishnan

... Petitioners

Vs

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvidaimarudhur Division,
Thanjavur District.
Crime No.275 of 2025.

2.The Inspector of Police,
Thiruvidaimarudhur Division,
Thanjavur District,
In Crime No.275 / 2025.

3.Vasanth
4.Naresh
5.Siva

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned I Additional District and Sessions Judge (Special Judge for PCR Case), Thanjavur, to consider the bail application of the petitioners on the same day of their surrender in Crime No.275/2025 on



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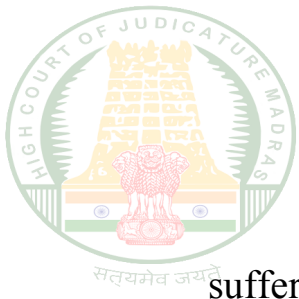
the file of the respondent police.
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For Petitioner	: Mr.B.Senthilkumar
For R1 & R2	: Mr.P.Kottaichamy
	Government Advocate (Crl.side)
R3 to R5	: No appearance

ORDER

The petitioners are accused in Crime No.275 of 2025 on the file of the second respondent Police. The said case was registered for the alleged offence punishable under Sections 296(b), 118(1) and 351(3) of BNS, 2023 r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989. Therefore, the petitioners have filed this petition seeking a direction to the Special Court concerned to dispose of their bail applications on the date of their surrender.

2.The learned counsel for the petitioners submits that the other arrested accused have been released on bail. The first petitioner and second petitioners are shown as A2 and unknown person in the First Information Report. He further submits that the victim has



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suffered simple injury. However, five persons have been added as accused. 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. However, the petitioner seeks 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 petitioner prayed for similar directions.

3.Mr.P.Kottaichamy, learned Government Advocate (Crl.side), who takes notice for the respondents 1 and 2 submits that the victim has suffered head injury.

4.Considering the nature of injury, this Court has ordered notice to the respondents 3 to 5, by its order, dated 07.07.2025. Despite



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service of notice, there is no representation for the respondents 3 to 5.

5.Considering that the arrested accused have been released on bail and the fact that the injury has been caused by pelting the stone, the second petitioner is shown as unknown person in the First Information Report, this Court is inclined to grant relief to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed. The petitioners are directed to surrender before the I Additional District and Sessions Judge (Special Judge for PCR Case), 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 petitioners on the same day. In the meantime, the petitioners shall serve a copy of the bail petition well in advance to the defacto complainant along with the proposed date of their surrender, enabling the complainant to submit his 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



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available scientific modes. The bail application in any event shall be disposed on merits on the same day.

23.07.2025

NCC : Yes/No
Index : Yes/No
vrn

To

- 1.The I Additional District and Sessions Judge (Special Judge for PCR Case), Thanjavur.
- 2.The Deputy Superintendent of Police,
Thiruvidaimarudhur Division,
Thanjavur District.
Crime No.275 of 2025.
- 3.The Inspector of Police,
Thiruvidaimarudhur Division,
Thanjavur District,



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B.PUGALENDHI,J

vrn

Order made in
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