



Crl.O.P.(MD)No.11389 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.11389 of 2025

Rajkumar

... Petitioner

Vs

1. The State of Tamilnadu,
Rep by the Deputy Superintendent of Police,
Palani,
Dindigul District.

2. The Inspector of Police,
Keeranur Police Station,
Dindigul District.
Crime No.135/2025.

3. Kaleeswari

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Sessions Judge Special Court of Exclusive Trial of Cases under SC/ST(POA) Act 1989, Dindigul to consider the petitioner's bail application on the same day of his surrender in Crime No.135/2025 on the file of the 2nd respondent police.



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

ORDER

The petitioner is accused No.2 in Crime No.135 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 296(b), 133 of BNS, 92(a) of the rights of persons with disabilities Act, 2016 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 learned Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST(POA) Act 1989, Dindigul 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



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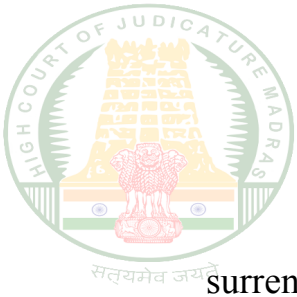
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on the same day. He further submits that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed by the accused on the same day of their surrender. He further submits that there was a dispute in the women self help group and that has been exaggerated as a criminal complaint.

3. Heard the learned Government Advocate (Crl. Side).

4. Since no one has been injured in this incident and no previous case is pending against the petitioner, 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 learned Sessions Judge, Special Court of Exclusive Trial of Cases under SC/ST(POA) Act 1989, Dindigul 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



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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 Sessions Judge Special Court
of Exclusive Trial of Cases under SC/ST(POA) Act 1989,
Dindigul.

2. The State of Tamilnadu,
Rep by the Deputy Superintendent of Police,
Palani,
Dindigul District.

3. The Inspector of Police,
Keeranur Police Station,
Dindigul District.
Crime No.135/2025.

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



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B.PUGALENDHI, J.

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