

Crl.O.P.(MD)No.11684 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11684 of 2025

N.Jeyaraj

... Petitioner

Vs

1.State Represented through
The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2.The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
(Crime No.176 of 2025)

3.Chellaiyah

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Sessions Court (Special Court for SC/ST Act) Srivilliputhur, Virudhunagar District, to consider the petitioner's bail application on the same day of surrender in Crime No.176 of 2025 on the file of the second respondent.



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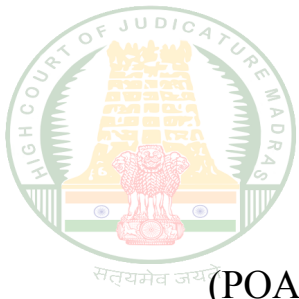
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For Petitioner : Mr.C.Susikumar
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioner is the accused in Crime No.176 of 2025 on the file of the second respondent Police. The said case was registered for the alleged offence punishable under Sections 296(b), 115(2) and 351(2) BNS, 2023 and Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amendment Act, 2015. Therefore, the petitioner has filed this petition seeking a direction to Special Court concerned to dispose of his bail application on the date of surrender.

2.The learned counsel for the petitioner submits that the petitioner is aged about 70 year old and the case has been registered against him as if he assaulted the defacto complainant. He further submits that the injured sustained only a simple injury and he was treated as out patient. He further submits that Section 18 of the SC/ST



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(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. Therefore, 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 his surrender and therefore, by relying upon the similar orders, the petitioner prayed for similar directions.

3.Mr.P.Kottaichamy, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2 and submits that the injured sustained only a simple injury and he was treated as outpatient.

4.Considering the facts and circumstances, this petition is disposed of with a direction to the petitioner to surrender before the learned Sessions Court (Special Court for SC/ST Act) Srivilliputhur, Virudhunagar District, within a period of two weeks from the date of



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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 complainant 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.

11.07.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

vsg



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To

- 1.The learned Sessions Court (Special Court for SC/ST Act)
Srivilliputhur, Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 3.The Inspector of Police,
Dhalavaipuram Police Sta
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

vsg

Order made in
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