



Crl.O.P.(MD)No.11558 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11558 of 2025

1.Gunasekaran

2.Ramar @ Raman

... Petitioners

Vs

1.State of Tamilnadu,
Rep. by Deputy Superintendent of Police,
Sivagangai Division,
Sivagangai District.

2.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.
Crime No.348 of 2025

3.Kaleeswaran

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Additional District and Sessions Court for the exclusive trial of PCR Act cases, Sivagangai to consider the bail application on the same day of their surrender if any filed by the petitioners/accused 1 to 4 in Crime No.348 of 2025, registered by the second respondent herein.



Crl.O.P.(MD)No.11558 of 2025

WEB COPY

For Petitioners : Mr.K.Radhakrishnan
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

ORDER

The petitioners are accused 1 & 4 in Crime No.348 of 2025, on the file of the second respondent Police. The said case was registered for the offences under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 324(2), 351(3) of BNS r/w Section 3(1)(r), 3(1)(s) of SC/ST (POA) Amendment Act 2015. Therefore, the petitioners have filed this petition, seeking a direction to the Additional District and Sessions Court for the exclusive trial of PCR Act cases, Sivagangai, to consider their bail applications on the same day of their surrender.

2.The learned counsel appearing for the petitioners submitted that the defacto complainant has stolen the petitioners' goat on 23.05.2025 and therefore, the petitioners have lodged a complaint as against Kaleeshwaran/the defacto complainant and two others before the Kalayarkovil Police Station and the same was registered in Crime



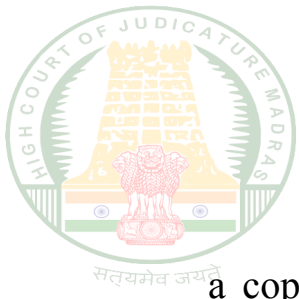
Crl.O.P.(MD)No.11558 of 2025

WEB COPY

No.310 of 2025 for the offence under Section 303(2) of BNS, on 26.05.2025. In order to wreak vengeance for having lodged a complaint as against the defacto complainant, this complaint has been foisted as against these petitioners.

3..Mr.P.Kottaichamy, learned Government Advocate (Crl. Side), who takes notice for the respondents 1 & 2 has also confirmed that there is a case and counter case.

4. Considering the fact that there is a case as against the defacto complainant also, for having stolen the petitioners' goat in Crime No.310 of 2025 and the same was also confirmed by the learned Government Advocate (Crl.side), this Criminal Original Petition is disposed of with a direction to the petitioners to surrender before the Additional District and Sessions Court for the exclusive trial of PCR Act cases, Sivagangai, 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



Crl.O.P.(MD)No.11558 of 2025

WEB COPY

a copy of the bail petition well in advance to the defacto complaint along with the proposed date of their 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.

09.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
vrn

To

- 1.The Additional District and Sessions Court for the exclusive trial of PCR Act cases, Sivagangai
- 2.The Deputy Superintendent of Police,
Sivagangai Division,
Sivagangai District.
- 3.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.



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Crl.O.P.(MD)No.11558 of 2025

B.PUGALENDHI, J.

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Order made in
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