

Crl.O.P.(MD)No.11757 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.11757 of 2025

Bhuvaneswaran

... Petitioner

(The petitioner name was wrongly mentioned as Vikneshwaran in Crime No.342 of 2025)

Vs

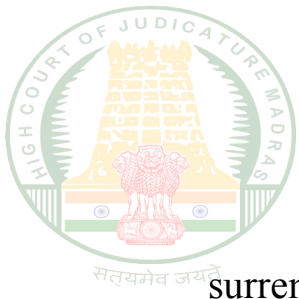
1.The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
Manamadurai Division,
Sivagangai District.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.342 of 2025

3.Ganeshkumar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judge, Special Court for Exclusive trial of cases under SC/ST (POA) Act, Sivagangai to accept the surrender of the petitioner and consider the petitioner's bail application, on the date of



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surrender itself in Crime No.342 of 2025, on the file of the second respondent police.

For Petitioner	: Mr.R.Venkatesan
For R1 & R2	: Mr.P.Kottaichamy Government Advocate (Crl.side)
For R3	: Mr.Velmurugan

ORDER

The petitioner is the accused in Crime No.342 of 2025, on the file of the second respondent Police. The said case was registered for the alleged offence punishable under Sections 126(2), 296(b), 115(2), 351(2) of BNS r/w Section 3(1)(r) and 3(1)(s) 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 allegation as against this petitioner is that when the third respondent has returned from his work, the petitioner along with other accused has intercepted him, abused him by his caste name and also threatened him. Hence, this case.



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3.The learned counsel for the petitioner claims that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. For the incident took place on 02.07.2025, the case was registered on 03.07.2025. The petitioner's name has been mentioned as Vikneshwaran instead of Bhuvaneshwaran, in the First Information Report in Crime No.342 of 2025. 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 petitioners are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek 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 petitioners prayed for similar directions.



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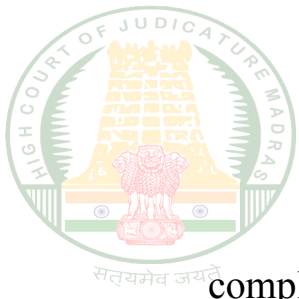
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4.Mr.P.Kottaichamy, learned Government Advocate

(Crl.side) takes notice for the respondents 1 and 2 and submits that the injury sustained by the victim is simple in nature. No previous cases are pending as against this petitioner.

5.Mr.Velmurugan, learned counsel, who has entered appearance for the third respondent seeks further time to make his submissions.

6.Considering the facts and circumstances and considering the submissions of the learned Government Advocate (Crl.side), this petition is disposed of with a direction to the petitioner to surrender before the Special Court for Exclusive trial of cases under SC/ST (POA) Act, 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 a copy of the bail petition well in advance to the defacto complaint along with the proposed date of their surrender, enabling the



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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.

18.07.2025

NCC : Yes/No

Index : Yes/No

vrn

To

- 1.The Special Court for Exclusive trial of cases under SC/ST (POA) Act, Sivagangai
- 2.The Deputy Superintendent of Police,
Manamadurai Division,
Sivagangai District.
- 3.The Inspector of Police,
Manamadurai Police Station,
= Sivagangai District.



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B.PUGALENDHI,J

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Order made in
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