



Crl.O.P.(MD)No.11781 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.11781 of 2025

1.Prakash

2.Yogeshwaran

... Petitioners

Vs

1.The State of Tamilnadu

Represented by

The Deputy Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,

Rajapalayam North Police Station,
Virudhunagar District.

3.Dinesh Karthick

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judge, Special Court for SC/ST cases (PCR), Srivilliputhur, to accept the surrender and consider the bail application to be filed by the petitioners on the same day on merits in Crime No. 417 of 2025, on the file of the second respondent police.



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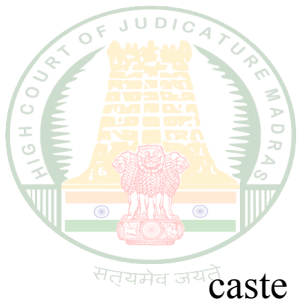
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For Petitioners	: Mr.C.Vakeeswaran
For R1 & R2	: Mr.P.Kottaichamy Government Advocate (Crl.side)
For R3	: Mr.Malaichamy

ORDER

The petitioners are accused in Crime No.417 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), 351(2) of BNS, 2023 and 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 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 petitioners and the third respondent are working in a same Company, namely, S&S Engineering Company, Rajapalayam. On the date of occurrence, the petitioners along with A3 have compelled the third respondent to consume liquor and when the third respondent has refused to do so, the petitioners have scolded him by degrading his



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caste name and also slapped him. The learned counsel further submits that totally there are three accused in this case and the petitioners are A1 and A2. 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.

3.Mr.P.Kottaichamy, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2 and submits that there is a trivial wordy altercation among the petitioners and the third respondent.



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4.Considering that the dispute is among the colleagues, this

Court is inclined to grant relief to the petitioners. Accordingly, this Criminal Original Petition is allowed. The petitioners are directed to surrender before the Special Court for SC/ST cases (PCR), Srivilliputhur, 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 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

Internet:Yes

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- To
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 - 3.The Inspector of Police,
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B.PUGALENDHI,J

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