

Crl OP(MD)No.11950 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16.07.2025

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl OP(MD)No.11950 of 2025

Ajay Prakash @ Ajay

... Petitioner

versus

1.The Deputy Superintendent of Police,
Rajapalayam Division,
Rajapalayam, Virudhunagar District.

2.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam, Virudhunagar District.
[Crime No.415 of 2025]

3.Rajesh

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita,to direct the Special Court for SC/S Act Cases, Virudhunagar at Srivilliputhur to accept the surrender of this petitioner in connection with Cr.No. 415/2025 pending on the file of the 2nd respondent and to consider his bail application on the same day on merits.



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For Petitioners : Mr.J.William Christopher
For R1 and R2 : Mr.P.Kottaichamy
Government Advocate (Crl. side)

ORDER

The petitioner is an accused in Crime No.415 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offence under Sections 191(2), 191(3), 296(b), 115(2), 125 and 351(3) of BNS and Sections 3(1)(r), 3(1)(s) 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act. Therefore the petitioner has filed this petition seeking a direction to the Special Court concerned to dispose of his bail application on the date of surrender.

2.The learned Counsel for the petitioner submits the occurrence has taken on flimsy grounds. There is a counter case registered. The victim has sustained simple injury and has been treated as an out patient. He further submits that the petitioner has also sustained injury. Co-accused have been arrested and released on

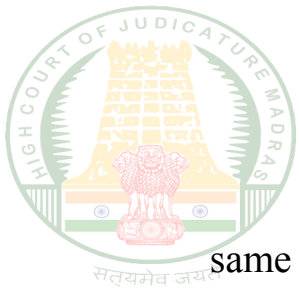


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bail. He further submits that Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) Act. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is inclined to surrender 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.

3.The learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2 confirmed that the co-accused have been granted bail.

4.Considering the facts and circumstances of the case and the co-accused have been granted bail, this Criminal Original Petition is ordered with a direction to the petitioner to surrender within a period of two weeks from the date of receipt of a copy of this order before the Special Court for Trial of Cases under SC & ST (POA) Act, Virudhunagar at Srivilliputhur, which, in turn, is directed to entertain the bail application if any filed by the petitioner on the



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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 the surrender, enabling the defacto complainant to advance the 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.

16.07.2025

DSK

To

- 1.The Sessions Judge,
Special Court for Trial of Cases
under SC & ST (POA) Act,
Virudhunagar at Srivilliputhur.
- 2.The Deputy Superintendent of Police,
Rajapalayam Division,
Rajapalayam, Virudhunagar District.
- 3.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam, Virudhunagar District.

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



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B.PUGALENDHI, J.

DSK

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