



Crl.O.P.(MD)No.12038 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.07.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12038 of 2025

1.Packiyam
2.Deeparani

.. Petitioner

versus

1. The State of Tamilnadu, rep. by
The Deputy Superintendent of Police,
Virudhunagar Sub Division,
Virudhunagar District.

2. The Inspector of Police,
Virudhunagar Police Station,
Virudhunagar District.
(crime No.154 of 2025)

3. Manivannan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Sessions Judge for SC/ST (Prevention of Atrocities) Act, Srivilliputhur to consider the bail application of the petitioners on the very same day of their surrender in Crime No.154 of 2025 on the file of the second respondent police.

For Petitioners	: Mr.R.Pon Karthikeyan
For R1 & R2	: Mr.P.Kottaichamy Government Advocate (Crl. Side)
For R3	: Mr.D.Raja Boopathy



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ORDER

The petitioners are the accused in Crime No.154 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 191(2), 296(b), 115(2), 118(1), 127(2), 351(3) of BNS r/w 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Amendment POA) Act. Therefore, the petitioners have filed this petition, seeking a direction to the Special Sessions Judge for SC/ST (Prevention of Atrocities) Act, Srivilliputhur, to consider their bail application on the same day of their surrender.

2. The petitioners are the mother and wife of the first accused. The first accused, suspecting that the defacto complainant was having an illicit relationship with his wife, assaulted the defacto complainant, who sustained simple injuries. The defacto complainant was subsequently discharged from the hospital. According to the petitioners, the accused Nos. 1, 3, 4, and 6 have already been released on bail.

3. The learned counsel appearing for the petitioner 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. He further submits that this case is a foisted one and the petitioner will prove his innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is



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inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioner seeks a direction for disposal of the bail application on the same day. He further submits 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 petitioner prays for similar directions.

4. The learned counsel for the third respondent would submit that the petitioners have threatened the defacto complainant to withdraw the complaint.

5. The learned Government Advocate (criminal side) would submit that in this case, injured has already been discharged from the hospital.

6. This court considered the submissions of either side.

7. It appears that the first accused, suspecting that the defacto complainant was having an illicit relationship with his wife, assaulted the defacto complainant with the help of his friend. The petitioners, who are women, have also been impleaded as accused in this case. Hence, considering the nature of offence, this Criminal Original Petition is



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disposed of with a direction to the petitioners to surrender before the the Special Sessions Judge for SC/ST (Prevention of Atrocities) Act, 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 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.

30.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

1. The Special Sessions Judge for SC/ST (Prevention of Atrocities) Act, Srivilliputhur,
2. TheThe Deputy Superintendent of Police,
Virudhunagar Sub Division,
Virudhunagar District.
2. The Inspector of Police,
Virudhunagar Police Station,
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.

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