

Crl.O.P.(MD)No.12154 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.12154 of 2025

1.Asai Alangaran
2.Sivasamy
3.Saravanan

... Petitioners

Vs

1.The State of Tamilnadu
Represented by
The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul District.

2.The Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.319 of 2025

3.Mr.Murugan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judge, Special Court for SC/ST cases (PCR), Dindigul, to consider the petitioner's bail application, on the day of surrender in Crime No.319 of 2025, on the file of the second



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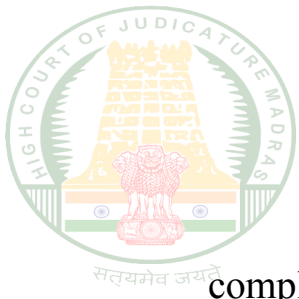
respondent, for the offence under Sections 191(2), 296(b), 115(2), 351(2) of BNS, 2023 and Section 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989.

For Petitioners : Mr.S.Ramasamy
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioners are accused 1, 5 & 8 in Crime No.319 of 2025 on the file of the second respondent Police. The said case was registered for the alleged offence punishable under Sections 191(2), 296(b), 115(2), 351(2) of BNS, 2023 and Section 3(1)(r), 3(1)(s) 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 this case has been foisted as against the petitioners out of dispute arose in a village meeting, which was conducted with regard to administration of the village temple. According to the learned counsel, the defacto



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complainant has sustained simple injury and discharged from the hospital. The learned counsel further submits that totally there are 8 accused in this case and except these petitioners, the remaining accused have been released on bail by the learned Sessions Judge. 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 has raised serious objections for grant of relief to A1 as he is a habitual offender and as of now, three criminal cases are pending as against him.



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4.Considering that the dispute is on account of temple festival and the injured person has been discharged from the hospital, and the fact that the co-accused have been released on bail, this Court is inclined to grant relief to the petitioners 2 & 3/ A5 and A8. Insofar as the first petitioner/A1, this Criminal Original Petition is dismissed, considering his antecedents.

5.Accordingly, this Criminal Original Petition is partly allowed. The petitioners 2 & 3/A5 and A8 are directed to surrender before the Special Court for SC/ST cases (PCR), Dindigul, 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 complainant 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



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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
vrn

To

- 1.The Special Court for SC/ST cases (PCR), Dindigul
- 2.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul District.
- 3.The Inspector of Police,
Natham Police Station,
Dindigul District.



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B.PUGALENDHI,J

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