



Crl.O.P.(MD)No.12432 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12432 of 2025

Saran @ Muneeswaran

... Petitioner

versus

1. The State of Tamilnadu, rep. by
The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
2. The State of Tamilnadu, rep. by
The Sub Inspector of Police,
Manamadurai District.
3. Ganesh Kumar
4. Suresh
5. Kalai Selvam

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider the bail application of the petitioner in connection with the FIR in Crime No.342 of 2025 on the file of the 2nd respondent on the very same day of his surrender and to enlarge the petitioner on bail on the very same day itself by allowing his bail application.



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For Petitioner : Mr.S.Jeyakarthish

For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

ORDER

The petitioner is the 3rd accused in Crime No.342 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 126(2), 296(b), 115(2) & 351(2) of BNS 2023 and Sections 3(1)(r) and 3(1)(s) of the Schedule Casts and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. Therefore, the petitioner has filed this petition, seeking a direction to the Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider his bail application on the same day of his surrender.

2. The case of the prosecution is that on 02.07.2025, at about 8.15 p.m., when the respondents 3 to 5 were returning to home after completing their work, the accused persons intercepted them, abused by using their community name and also attacked them indiscriminately and threatened with dire consequences. Hence, the case.



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3. The learned counsel appearing for the petitioner submits that it is only a simple injury. The 2nd accused in this case has already filed a similar application in Crl.O.P.(MD)No.11757 of 2025 and the same has been considered by this Court, by order dated 18.07.2025.

4. The learned counsel for the petitioner 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. However, the petitioner seeks 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 petitioner prayed for similar directions.

5. The learned Government Advocate (Crl. Side) has also confirmed the submission made by the learned counsel for the petitioner that the co-accused has been released on bail.



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6. Considering the facts and circumstances of the case and also considering the fact that the 2nd accused has been released on bail, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the Additional District and Sessions Court for the exclusive trial of PCR Act Cases, 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 petitioner on the 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 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.

24.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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- To
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for the exclusive trial of PCR Act Cases,
Sivagangai.
 2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
 3. The State of Tamilnadu, rep. by
The Sub Inspector of Police,
Manamadurai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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