



Crl.O.P.(MD)No.12389 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12389 of 2025

1. Banuji
2. Palani
3. Chandrakala

... Petitioners

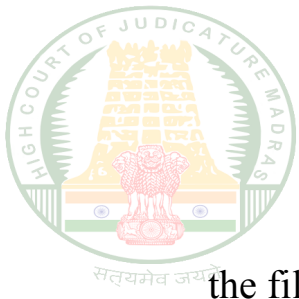
Vs

- 1.The State of Tamil Nadu
Rep. By Its,
The Deputy Superintendent of Police,
Devakottai,
Sivagangai District.
- 2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.
(In Crime No. 192 of 2025).

- 3.Balakrishnan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Additional District and Sessions Court for the Exclusive trial of PCR Act Cases, Sivagangai to consider the Bail Application of the petitioners concerned in Crime No. 192 of 2025 on



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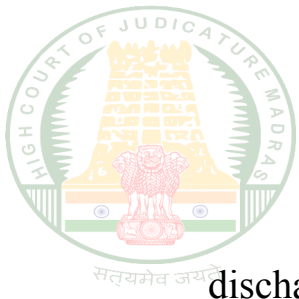
the file of the 2nd respondent Police and pass orders in accordance with law, on the same day of their surrender, if any petition filed by the petitioners.

For Petitioners : Mr.V. Karuna,
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioners are accused in Crime No.192 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) and 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 application on the date of their surrender.

2.The learned counsel for the petitioners submits that there was a quarrel with the defacto complainant, while parking their vehicle. The petitioners said to have assaulted the defacto complainant. The arrested accused have been released on bail. The injured has been



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discharged from the hospital. 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 confirmed that the injured has been treated as outpatient.

4.Considering that the dispute is on account of trivial issue, and also considering that the injured has been treated as outpatient, this Court is inclined to grant relief to the petitioners.



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5. Accordingly, this Criminal Original Petition is allowed.

The petitioners are directed 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 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 her 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.

23.07.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

- 1.The Additional District and Sessions Court for the Exclusive trial of
PCR Act Cases, Sivagangai
- 2.The Deputy Superintendent of Police,
Devakottai,
Sivagangai District.
- 3.The Inspector of Police,
Kallal Police Station,
Sivagangai District.



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B.PUGALENDHI,J

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Order made in
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