



*Crl.O.P.(MD)No.12384 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.12384 of 2025

1. Shanmugaraj @ Sanmugaraj
2. Subramanian

... Petitioners

Vs

- 1.The State of Tamilnadu  
Rep By, the Deputy Superintendent of Police  
Sankarankovil,  
Tenkasi District.

- 2.The Inspector of Police,  
Karivalamvanthanallur Police Station,  
Tenkasi District (Crime No. 654 of 2025).

- 3.Arunachalam

...Respondents

**Prayer :** Criminal Original Petition filed under Section 528 of BNSS, to direct the Principal District Judge, Tenkasi to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No. 654 of 2025 on the file of the 2nd respondent.

For Petitioners  
For R1 & R2

: Mr.Praveen Kumar.P.  
: Mr.P.Kottaichamy  
Government Advocate (Crl.side)



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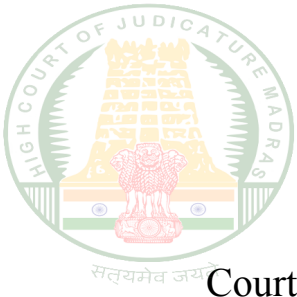


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## **ORDER**

The petitioners are accused in Crime No.654 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(3) of BNS, 2023 and Section 3(1)(r) and 3(1)(s) and 3(2)(va) 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 grassing the sheep in their Village. The injured sustained simple injury. 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



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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.Abul Kalaam Azad, learned Government Advocate (Crl.side) takes notice for the respondents 1 and 2 and confirmed that the injured has been treated as a outpatient.

4.Considering that the dispute is on account of trivial issue, and also considering that it is a simple injury, this Court is inclined to grant relief to the petitioners.

5.Accordingly, this Criminal Original Petition is allowed. The petitioners are directed to surrender before the Principal District Judge, Tenkasi, 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



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the bail petition well in advance to the defacto complaint along with the proposed date of her surrender, enabling the complainant to submit his 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  
vrn

To

- 1.The Principal District Judge, Tenkasi
- 2.The Deputy Superintendent of Police  
Sankarankovil,  
Tenkasi District.
- 3.The Inspector of Police,  
Karivalamvanthanallur Police Station,  
Tenkasi District.



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**B.PUGALENDHI,J**

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**Order made in**  
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