



Crl.O.P.(MD)No.12395 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.12395 of 2025

Viji @ Vellaichamy

... Petitioner/1st Accused

Vs.

1.The State of Tamil Nadu,
The Deputy Superintendent of Police,
Devakottai, Sivagangai District.

2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.
(Crime No.12 of 2025).

...Respondent Nos.1 and 2/Complainants

3.Manikandan

...Respondent No.3/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to direct the learned Special Court for cases triable under SC and ST Act, Sivagangai to consider the bail application on the same day in Crime No.12 of 2025 on the file of the 2nd respondent Police Station.

For Petitioner : Mr.P.Venkata Subramanian
For R1 and R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)
For R3 : No appearance



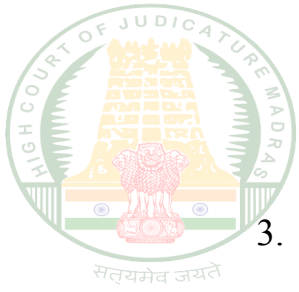
Crl.O.P.(MD)No.12395 of 2025

ORDER

WEB COPY

The petitioner seeks a direction to the learned Special Court for the Cases Triable under SC/ST Act, Sivagangai, to accept the surrender of the petitioner in connection with the Crime No.12 of 2025 on the file of the second respondent Police and consider his bail application on the same day.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the facts of the case, there shall be a direction to the learned Special Judge for S.C/S.T. (Prevention of Atrocities) Act, Sivagangai to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.12 of 2025 registered for the offences under Sections 191(2), 191(3), 329(3), 296(b), 115(2), 351(2) of BNS, 2023 and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 and pass appropriate orders in accordance with law. It is needless to say that the Court below while disposing the bail petition shall consider the gravity of the offence, previous antecedent of the petitioner and pass orders, after affording due opportunity to the victim under Section 15-A of the SC/ST (POA) Act, 1989.



Crl.O.P.(MD)No.12395 of 2025

3. The petitioner shall surrender before the concerned jurisdictional Court, within a period of fifteen (15) days from the date of receipt of a copy of this order.

4. This Criminal Original Petition is ordered accordingly.

03.09.2025

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

Indu

To

To

1.The Special Court for S.C/S.T. (Prevention of Atrocities) Act,
Sivagangai.

2.The Deputy Superintendent of Police,
Devakottai, Sivagangai District.

3.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.12395 of 2025

SUNDER MOHAN, J.

Indu

Crl.O.P(MD).No.12395 of 2025

03.09.2025