



Crl.O.P.(MD)No.12437 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.12437 of 2025

K.Seetharampandian @ Seetharam

... Petitioner

Vs

1. State Represented by
The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2. The Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.

3. Karuppaiah

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for SC & ST (POA) Act, Srivilliputhur to consider the bail application to be filed by the petitioner in Crime No.148 of 2025 on the same day of his surrender.

For Petitioner : Mr.S.Babu

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

For R3 : Mr.A.Manikandan



Crl.O.P.(MD)No.12437 of 2025

ORDER

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The petitioner is the 2nd accused in Crime No.148 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 296(b), 127(2), 115(2), 118(1), 351(2) of BNS 2023 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST Prevention of Atrocities Act, 1989. Therefore, the petitioner has filed this petition seeking a direction to the Special Court for SC & ST (POA) Act, Srivilliputhur, to consider his bail application on the same day of surrender.

2. The learned counsel appearing for the petitioner submits that the 1st accused in this case has already filed a similar application in Crl.O.P. (MD)No.12404 of 2025 and the same has been considered by this Court, by order dated 23.07.2025.

3. 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



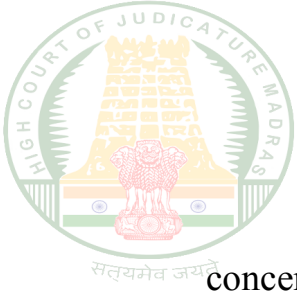
Crl.O.P.(MD)No.12437 of 2025

WEB COPY

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.

4. 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.

5. Considering the facts and circumstances of the case and also considering the fact that the 1st accused has been released on bail, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the Special Court for SC & ST (POA) Act, Srivilliputhur, 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 complainant along with the proposed date of his surrender, enabling the complainant to submit their arguments, if any. The Public Prosecutor



Crl.O.P.(MD)No.12437 of 2025

WEB COPY

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

1. The Special Court for SC & ST (POA) Act,
Srivilliputhur.
2. The Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.
3. The Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.12437 of 2025

B.PUGALENDHI, J.

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Crl.OP(MD)No.12437 of 2025

24.07.2025