



Crl.O.P.(MD)No.12459 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.12459 of 2025

Pradheeswaran

... Petitioner

Vs

1. The State of Tamilnadu, rep. by
The Deputy Superintendent of Police,
Musiri Circle, Musiri,
Trichy District.

2. State of Tamilnadu, Rep. by
The Inspector of Police,
Thuraiyur Police Station,
Thuraiyur,
Trichy District.

3. Vairamuthaiya

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the I Additional District Court and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Cases, (PCR Court), Trichy, to accept the surrender of the petitioner/accused and consider the petitioner's bail application and grant bail on the date of surrender itself in Crime No.41 of 2023 on the file of the respondent Police.

For Petitioner : Mr.T.Vadivelan



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

ORDER

The petitioner is the 2nd accused in Crime No.41 of 2023 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 147, 148, 341, 427, 294(b), 323, 324, 354, 506(i) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amendment Act, 2015. Therefore, the petitioner has filed this petition seeking a direction to the I Additional District Court and Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Cases, (PCR Court), Trichy, to consider his bail application on the same day of surrender.

2. When this petition is taken up for consideration, the learned Government Advocate (Crl. Side) submits that the investigation in Crime No.41 of 2023 has already been completed and the final report has also been filed before the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Cases, (PCR Court), Trichy and the same has been taken on file in Spl.S.C.No.19 of 2024. He further submits that the petitioner was absconding and therefore, a Non-Bailable Warrant was issued as against the petitioner on 26.05.2025.



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3. The learned counsel appearing for the petitioner submits that the petitioner was not aware of the criminal case registered against him. In fact, this case has been registered as against an unknown person and thereafter, in the place of unknown person, the petitioner has been added as an accused.

4. This Court considered the rival submissions made.

5. Since the final report has already been filed before the Special Court, which is pending for trial and a Non-Bailable Warrant was also issued as against the petitioner, this Court is not inclined to entertain this petition.

6. However, it is open to the petitioner to surrender before the concerned Court, which shall consider recalling the Non-Bailable Warrant with the available materials on merits. Accordingly, this Criminal Original Petition is dismissed.

24.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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1. The I Additional District Court and Special Court
for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Cases, (PCR Court),
Trichy.
2. The Deputy Superintendent of Police,
Musiri Circle, Musiri,
Trichy District.
3. The Inspector of Police,
Thuraiyur Police Station,
Thuraiyur,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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