

Crl.O.P.(MD)No.13076 of 2025

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 05.08.2025

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

**Crl.OP(MD)No.13076 of 2025**

Stalin

... Petitioner

versus

1. The State of Tamilnadu,  
The Deputy Superintendent of Police,  
Theni,  
Theni District.

2. The Inspector of Police,  
Allinagaram Police Station,  
Theni District.

3. Kamatchi

...Respondents

**Prayer :** Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Principal District and Sessions Judge for SC/ST (Prevention of Atrocities) Act (PCR), Theni, to consider the bail application to be filed by the petitioner on the same day on his surrender if any application filed by the petitioner in Crime No.78 of 2025 on the file of the 2<sup>nd</sup> respondent Police.

For Petitioner : Mr.S.Vikram

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



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## **ORDER**

The petitioner is the sole accused in Crime No.78 of 2025 on the file of the 2<sup>nd</sup> respondent Police. The said case was registered for the offences under Sections 329(4), 296(b), 115(2), 132, 127, 351(2) of BNS r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition, seeking a direction to the learned Principal District and Sessions Judge for SC/ST (Prevention of Atrocities) Act (PCR), Theni, to consider his bail application on the same day of his surrender.

2. The petitioner is running a TASMAL Bar. He picked up quarrel with the TASMAL salesman and attacked him on 11.04.2025. On the complaint of the salesman, the case in Crime No.78 of 2025 has been registered as against the petitioner for the offence under Sections 329(4), 296(b), 115(2), 132, 127, 351(2) of BNS r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition.



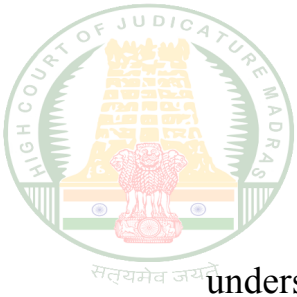
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3. This Court, by its earlier order dated 23.04.2025 in Crl.O.P.(MD)No.7369 of 2025, granted the relief directing the petitioner to surrender before the concerned jurisdictional Court within a stipulated time. However, the petitioner has failed to surrender before the concerned Court and filed a petition before this Court in Crl.M.P.(MD)No.6970 of 2025 seeking extension of time. This Court, by order dated 10.06.2025, granted a further period of 10 days for surrendering before the concerned Court. The petitioner has not utilized the same and also filed another petition in Crl.M.P.(MD)No.9209 of 2025 seeking further extension of time. However, this Court, by its order dated 16.07.2025, dismissed the said petition. Thereafter, the petitioner has filed this petition seeking a direction as granted by this Court in the earlier petition filed by him in Crl.O.P.(MD)No. 7369 of 2025.

4. The learned counsel appearing for the petitioner submits that the petitioner could not arrange the surety and therefore, he could not surrender before the Court as directed by this Court on 23.04.2025 and 10.06.2025.

5. It appears that the petitioner is the owner of the TASMAR Bar. Therefore, the petitioner must be a powerful person. This Court is unable to



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understand the reasons offered by the petitioner that he is not in a position to arrange the surety and has not surrendered before the Court. Therefore, this Court is not inclined to grant any direction as prayed for in this writ petition.

6. Accordingly, this Criminal Original Petition is dismissed.

**05.08.2025**

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Deputy Superintendent of Police,  
Theni,  
Theni District.
2. The Inspector of Police,  
Allinagaram Police Station,  
Theni District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**B.PUGALENDHI, J.**

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