



Crl.O.P.(MD)No.12760 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.07.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12760 of 2025

Muthukumar

.. Petitioner

versus

1. The State of Tamilnadu, rep. by
The Deputy Superintendent of Police,
Valliyoor, Tirunelveli District.

2. The State of Tami Nadu,
Rep. by the Inspector of Police,
Thirukkurungudi Police Station,
Tirunelveli District.
(crime No.217 of 2025)

3. Thanga Sutha

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Additional District Court No.II for PCR Act cases, Tirunelveli, to consider the bail application of the petitioner in connection with the FIR in Crime No.217 of 2025 on the file of the file of the second respondent on the very same day of his surrender and to enlarge the petitioner on bail on the very same day itself by allowing his bail application.

For Petitioners : Mr.M.S.Jeyakarthik

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



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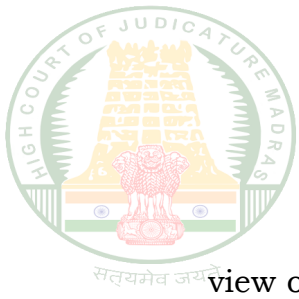
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ORDER

The petitioner is an accused in Crime No.217 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 296(b) and 351(3) of BNS, 2023 and Section 3(1)(r) 3(1)(s), 3(2)(va) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 2015 and u/s 4 of T.N Prohibition of Harassment of Women Act. Therefore, the petitioner has filed this petition, seeking a direction to the Additional District Court No.II for PCR Act cases, Tirunelveli, to consider his bail application on the same day of his surrender.

2. The petitioner and the defacto complainant are neighbours. The case of the prosecution is that on 11.07.2025, the dog of the accused took away the sandals from the defacto complainant's house. When the same was questioned by the defacto complainant, the petitioner abused her in filthy language by using his caste name.

3. The learned counsel appearing for the petitioner 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. He further submits that this case is a foisted one and the petitioner will prove his innocence. In



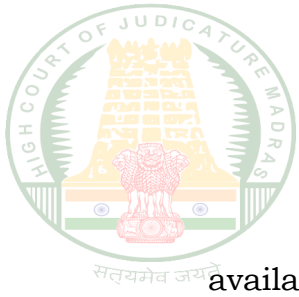
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view of the bar under Section 18 of the SC/ST (POA) Act, the petitioner is inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioner seeks a direction for disposal of the bail application on the same day. He further submits 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 prays for similar directions.

4. Heard the learned Government Advocate (Crl. Side).

5. Considering the nature of offence, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the Additional District Court No.II, for PCR Act Cases, Tirunelveli 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 complaint along with the proposed date of his surrender, enabling the complainant to submit their 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



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available scientific modes. The bail application in any event shall be disposed on merits on the same day.

30.07.2025

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

To

1. The Additional District Court No.II for PCR Act cases,
Tirunelveli.
2. The Deputy Superintendent of Police,
Valliyoor, Tirunelveli District.
3. The Inspector of Police,
Thirukkurungudi Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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