



Crl.O.P.(MD)No.12748 of 2025 etc., batch

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)Nos.12748, 12776, 12780 & 12784 of 2025

Crl.OP(MD)No.12748 of 2025

- 1.Thandapani
- 2.Pitchai
- 3.Chinasamy
- 4.Hariharan
- 5.Ananthan @ Ponnaiah
- 6.Pandiyan
- 7.Sambath

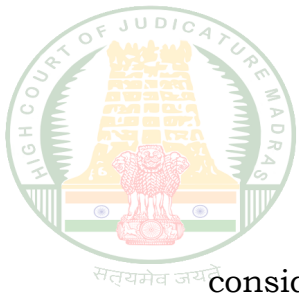
.. Petitioners

versus

1. The State of Tamilnadu, rep. by its
The Deputy Superintendent of Police,
Manapparai Circle,
Trichy District.
2. State of Tami Nadu,
Rep. by the Inspector of Police,
Valanadu Police Station,
Valanadu, Trichy District.
(Crime No.204 of 2025)
- 3.Sakthivel

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the I Additional District Court and Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act cases, (PCR court) Trihcy to accept the surrender of the petitioners/accused and



Crl.O.P.(MD)No.12748 of 2025 etc., batch

consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.204 of 2025 on the file of the respondent police.

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

Crl.OP(MD)No.12776 of 2025

Mohammed arief @ Arif

.. Petitioner

versus

1. The State of Tamilnadu, rep. by its
The Deputy Superintendent of Police,
Manapparai Sub-divisions,
Trichy District.
2. The Inspector of Police,
Valanadu Police Station,
Valanadu, Trichy District.
(Crime No.205 of 2025)
- 3.Viswanathan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the I Additional District and Sessions Court, (PCR), Trichy to accept the surrender of the petitioner/accused and consider the bail application on merits on the date of his surrender in Crime No.205 of 2025 on the file of the second respondent police on the very same day.



WEB COPY



Crl.O.P.(MD)No.12748 of 2025 etc., batch

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

Crl.OP(MD)No.12780 of 2025

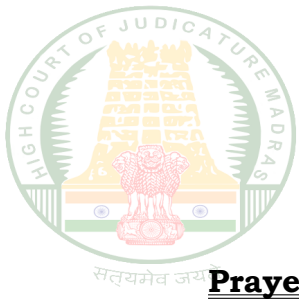
- 1.Kasiraman
- 2.Nagarajan
- 3.Palanisamy
- 4.Sakthivel
- 5.Sivanesan
- 6.Ramachandran @ Vadivel
- 7.Lakshmanan
- 8.Thangapandiyan
- 9.Kannan
- 10.Kannan
- 11.Rajkumar
- 12.Muthuramalingam
- 13.Sethuraman
- 14.Thirumoorthy
- 15.Karthi @ Maniraj
- 16.Vijayakumar

.. Petitioners

versus

1. The State of Tamilnadu, rep. by its
The Deputy Superintendent of Police,
Manapparai Sub-divisions,
Trichy District.
2. The Inspector of Police,
Valanadu Police Station,
Valanadu, Trichy District.
(Crime No.205 of 2025)
- 3.Viswanathan

...Respondents



Crl.O.P.(MD)No.12748 of 2025 etc., batch

WEB COPY

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the I Additional District and Sessions Court, (PCR), Trichy to accept the surrender of the petitioners/accused and consider the bail application on merits on the date of his surrender in Crime No.205 of 2025 on the file of the second respondent police on the very same day.

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

Crl.OP(MD)No.12784 of 2025

- 1.Vadivel
- 2.Madhavan
- 3.Palanisamy
- 4.Sivamani
- 5.Prakash
- 6.Janakiraman
- 7.Jeganathan

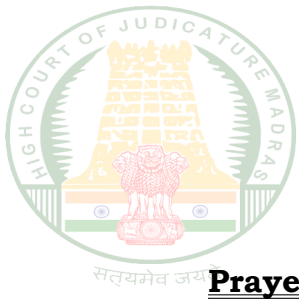
.. Petitioners

versus

1. The State of Tamilnadu, rep. by its
The Deputy Superintendent of Police,
Manapparai Circle,
Trichy District.
2. State of Tami Nadu,
Rep. by the Inspector of Police,
Valanadu Police Station,
Valanadu, Trichy District.
(Crime No.204 of 2025)

- 3.Sakthivel

...Respondents



Crl.O.P.(MD)No.12748 of 2025 etc., batch

WEB COPY

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the I Additional District Court and Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act cases, (PCR court) Trichy to accept the surrender of the petitioners/accused 1 to 7 and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.204 of 2025 on the file of the 2nd respondent police.

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

COMMON ORDER

The petitioners are the accused in Crime Nos.204 and 205 of 2025 on the file of the 2nd respondent Police. The said cases were registered for the offences under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS Act and Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Amendment Act -2015. Therefore, the petitioners have filed these petitions, seeking a direction to the I Additional District Court and Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act cases, (PCR court) Trichy, to consider their bail application on the same day of their surrender.



Crl.O.P.(MD)No.12748 of 2025 etc., batch

WEB COPY

2. Both cases have been registered as case and counter-case. The offences are stated to have occurred during a temple festival, wherein a clash erupted between two groups. Consequently, a case and a counter-case have been registered, including offences punishable under the provisions of the SC/ST Act.

3. The learned counsel appearing for the petitioners 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 petitioners will prove their innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioners are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek a direction for disposal of the bail application on the same day. The learned counsel 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 petitioners pray for similar directions.

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



Crl.O.P.(MD)No.12748 of 2025 etc.,. batch

WEB COPY

5. Considering the fact that both groups are facing similar charges and that the incidents arose from the same occurrence during the temple festival, it would be appropriate to issue similar directions in respect of both parties. Accordingly, these Criminal Original Petitions are disposed of with a direction to the petitioners to surrender before the I Additional District Court and Special Court for Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act cases, (PCR court) Trichy, 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 petitioners on the same day. In the meantime, the petitioners shall serve a copy of the bail petition well in advance to the defacto complaint along with the proposed date of their 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 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



CrI.O.P.(MD)No.12748 of 2025 etc.,. batch

WEB COPY

To

- 1.The Deputy Superintendent of Police,
Manapparai Circle,
Trichy District.
- 2.The Inspector of Police,
Valanadu Police Station,
Valanadu, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.12748 of 2025 etc., batch

B.PUGALENDHI, J.

skn

**Crl.OP(MD)Nos.12748, 12776,
12780 & 12784 of 2025**

30.07.2025