



Crl.O.P.(MD)No.12840 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12840 of 2025

1. Chithradevi
2. Rethinam
3. Sarathkumar

... Petitioners

Vs

- 1.The State of Tamil Nadu,
Rep. by the Deputy Superintendent of Police,
Ponnamaravathi Taluk,
Pudukottai District.
- 2.The Sub Inspector of Police,
Karaiyur Police Station,
Pudukottai District.
(In Crime No. 73 of 2025).
- 3.Chinnu

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Principal Sessions Judge (Special Court for PCR Cases), Pudukottai District to consider the bail application filed by the petitioners on the same day of surrender in Crime No. 73 of 2025 on the file of the second respondent.



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

ORDER

The petitioners are accused 1 to 3 in Crime No.73 of 2025, on the file of the second respondent Police. The said case was registered for the offence under Sections 296(b) and 133 of BNS r/w Sections 3(1)(r) and 3(1)(s) of SC/ST (POA) Amendment Act 2015. Therefore, the petitioners have filed this petition, seeking a direction to the learned Principal Sessions Judge (Special Court for PCR Cases), Pudukottai District, to consider their bail application on the same day of their surrender.

2.The case of the prosecution is that on 24.07.2025, when the second respondent/defacto complainant was in the meeting of Village Panchayat, the petitioners abused the defacto complainant by degrading his caste name. The main allegation against A1 is that he has slapped the defacto complaint with a slipper in the meeting. Hence, the case.



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3.The learned counsel for the petitioner submits that the petitioners are innocent and due to previous enmity, this false complaint has been lodged as against the petitioners. 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 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 his surrender and therefore, by relying upon the similar orders, the petitioner prayed for similar directions.

4. Mr.P.Kottaichamy, learned Government Advocate (Crl. Side) submits that there is a specific overt act as against A1 that she has slapped the defacto complainant with the slipper.

5. Considering the facts and circumstances of the case and the fact that A1 has slapped the defacto complainant with the slipper, this **Criminal Original Petition is dismissed insofar as the first**



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petitioner/A1 is concerned. This Criminal Original Petition is allowed insofar as the petitioners 2 & 3/Accused 2 & 3, with a direction to the petitioners 2 & 3 to surrender before the learned Principal Sessions Judge (Special Court for PCR Cases), Pudukottai District, 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 2 & 3 on the same day. In the meantime, the petitioners 2 & 3 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 his 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.

18.08.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn



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- To
- 1.The Principal Sessions Judge (Special Court for PCR Cases),
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 - 2.The Deputy Superintendent of Police,
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 - 2.The Sub Inspector of Police,
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B.PUGALENDHI, J.

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