



Crl.O.P.(MD)No.12946 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12946 of 2025

1. Sathya

2. Hari @ Harivignesh

3. Gopal

... Petitioners/Accused
Nos.1 to 3

Vs.

1.The Deputy Superintendent of Police,
Peravurani Sub Division,
Pattukkottai,
Thanjavur District.

2.The Inspector of Police,,
Peravurani Police Station,
Thanjavur District.
(Crime No. 249/2025).

...Respondent Nos.1 and 2/
Complainants

3.Vignesh

... Respondent No.3/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned I Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, to consider and dispose of the Bail Application filed by the petitioners in Crime No. 249 of 2025 on the file of the second respondent herein on the same day of their surrender before the said Court.



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For Petitioners : Mr.S.Pugalendhi

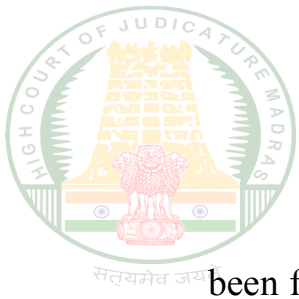
For R1 & R2 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

For R3 : No representation

ORDER

The petitioners are the accused persons in Crime No.249 of 2025 on the file of the second respondent Police. The said case was registered for the offences under Sections 296(b), 126(2), 131 of BNS, 2023 r/w. Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Amendment Act, 2015. Therefore, the petitioners have filed this petition seeking a direction to the learned I Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, to consider their bail application on the same day of their surrender.

2The learned counsel appearing for the petitioners submits that the defacto complainant is employed as a driver in the Tamil Nadu State Transport Corporation (TNSTC). It appears that while boarding the bus, a dispute arose between the accused and the defacto complainant. It is further contended that the First Information Report in Crime No.249 of 2025 has



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been foisted against the petitioners, and that no one has sustained any injury in this case.

3.The learned counsel for the petitioners also 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. 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 by the accused on the same day of their surrender.

4.The learned Government Advocate (Crl. Side) appearing for the official respondents submits that no one has sustained any injury in this case.



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5.This Court has considered the submissions made on either side and perused the available materials placed before this Court.

6. Considering the above facts and circumstances, this Criminal Original Petition is allowed with a direction to the petitioners to surrender before the learned I Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur 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 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.

19.08.2025

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

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To

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(Special Court for P.C.R. Cases),
Thanjavur, Thanjavur District.
- 2.The Deputy Superintendent of Police,
Peravurani Sub Division,
Pattukkottai,
Thanjavur District.
- 3.The Inspector of Police,,
Peravurani Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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