

CrI.O.P.(MD)No.13038 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.13038 of 2025

Asai Alangaram

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul District.

2.The Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.319 of 2025)

3.Murugan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for SC/ST Cases (PCR), Dindigul to consider the petitioners bail application on the day of surrender in Crime No.319 of 2025 on the file of the second respondent for the offence under Sections 191(2), 296(b), 115(2), 351(2) BNS 2023 and Sections 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities)Act, 1989.

For Petitioner : Mr.R.Maheswaran



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

ORDER

The petitioner is A1 in Crime No.319 of 2025 on the file of the second respondent Police. The said case was registered for the offences under Sections 191(2), 296(b), 115(2), 351(2) BNS 2023 and Sections 3(1)(r), 3(1)(s) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition seeking a direction to the Special Court for SC/ST Cases (PCR), Dindigul to consider his bail application on the same day of his surrender.

2.The learned counsel appearing for the petitioner submits that earlier the petitioner filed a similar petition along with co-accused, however, this Court has rejected the petitioner's request and granted the relief to other accused, since the petitioner is



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having three previous cases. Out of three previous case, the case in Cr.No.162 of 2013 was referred as mistake of fact and the case in Cr.No.665 of 2010 was ended in acquittal and insofar as the case in Cr.No.592 of 2010 is concerned, the investigation is still pending.

3.The learned counsel for the petitioner 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 petitioner will prove his innocence. 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 submits that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail



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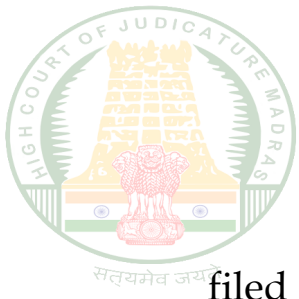
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application filed by the accused on the same day of his surrender.

4.The learned Government Advocate (CrI. Side) appearing for the official respondents confirms the submission of the learned counsel for the petitioner with regard to the previous cases.

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

6.Considering the submissions made on either side, this Criminal Original Petition is allowed with a direction to the petitioner to surrender before the Special Court for SC/ST Cases (PCR), Dindigul, 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



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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 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.

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Index : Yes/No
Internet:Yes
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To

- 1.The Special Court for SC/ST Cases (PCR),
Dindigul.
- 2.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul District.
- 3.The Inspector of Police,
Natham Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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