



CrI.O.P.(MD)No.13201 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.13201 of 2025

Deepa

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kulithalai Sub Division,
Karur District.

2.The Inspector of Police,
Thogamalai Police Station,
Karur District.
(In Crime No.213 of 2025)

3.Archunan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Principal District and Sessions Judge, Karur to consider the bail application filed by the petitioner and pass order in bail application filed by the petitioner on the same date of her surrender in Cr.No.213 of 2025 on the file of the second respondent in accordance with law.



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For Petitioner : Mr.S.Veerapandiselvaraj

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

For R3 : Mr.S.Ramesh Kumar

ORDER

The petitioner is A1 in Crime No.213 of 2025 on the file of the second respondent Police. The said case was registered for the offences under Sections 296(b), 329(3) BNS and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition seeking a direction to the learned Principal District and Sessions Judge, Karur to consider her bail application on the same day of her surrender.

2.The learned counsel for the petitioner as well as the learned counsel appearing for the third respondent submit that the issue has been amicably settled between the parties.



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3.The defacto complainant, who is present before this Court, also submits that he has amicably resolved the issue with the petitioner.

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

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



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6.Since the defacto complainant states that he has amicably resolved the issue with the petitioner, this Criminal Original Petition is allowed with a direction to the petitioner to surrender before the learned Principal District and Sessions Judge, Karur, 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 her 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.

11.08.2025

Index : Yes/No
Internet:Yes
gns



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To

- 1.The Principal District and Sessions Judge,
Karur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kulithalai Sub Division,
Karur District.
- 3.The Inspector of Police,
Thogamalai Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

gns

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