

Crl.O.P.(MD)No.13522 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.08.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13522 of 2025

M.Vignesh

... Petitioner

versus

1.The State of Tamilnadu Rep.by
The Deputy Superintendent of Police,
Tiruvidaimarurthur, Thanjavur District.

2. The Inspector of Police
Tiruvidaimarurthur Police Station,
Thanjavur District (Cr.No.275/2025).

3. Vasanth

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Thanjavur District to accept the surrender of the Petitioner/Accused Rank not Known and to consider his bail application and grant bail on the date of surrender itself in Crime No.275 of 2025 dated 16.06.2025 on the file of the second respondent police.

For Petitioner : Mr.R.Vignesh

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



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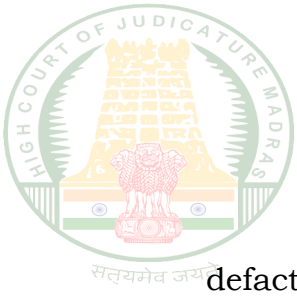
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ORDER

The petitioner is the accused No.6 in Crime No.275 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 296(b), 118(1), 351(3) of BNS, 2023 and Section 3(1)(r) 3(1)(s) & 3(2)(va) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition, seeking a direction to the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 Thanjavur District, to consider his bail application on the same day of his surrender.

2. The case of the prosecution is that, on 16.06.2025, an altercation arose between the defacto complainant and the accused persons, allegedly triggered by the latter's use of derogatory and caste-based epithets, stemming from pre-existing animosity. It is further alleged that the accused persons, along with the petitioner, assaulted the defacto complainant and his associates by pelting stones, thereby causing injuries. Consequently, the present complaint came to be lodged.

3. The learned counsel for the petitioner submits that the complaint has been registered based on the vague allegations of the



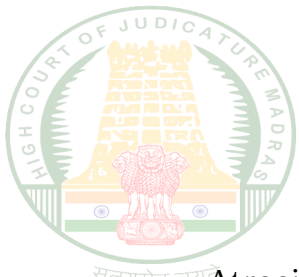
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defacto complainant. The defacto complainant sustained simple injuries and he was discharged from the hospital. He further submits that section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered under the SC/ST (POA) 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 application filed on the same day of their surrender and therefore, by relying upon the similar orders, the petitioner prays for similar directions.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submits that in this case, 13 accused were arrested and out of which, 7 accused were released on bail. He further submits that the injured has already been discharged from the hospital.

5. Considering the nature of offence, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of



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Atrocities) Act, 1989, 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 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 his 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.

13.08.2025

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

To

1. The Special Court for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Thanjavur District

1.The State of Tamilnadu Rep.by
The Deputy Superintendent of Police,
Tiruvidaimarurthur, Thanjavur District.

2. The Inspector of Police
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Thanjavur District (Cr.No.275/2025).



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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