

Crl.O.P.(MD)No.13364 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

Crl.OP(MD)No.13364 of 2025

Karuppasamy

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
Palayamkottai, Tirunelveli City.

2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
(Crime No.316 of 2025)

3.Satheesh

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the Additional District Court No.II for PCR Act Cases, Tirunelveli to consider the bail application of the petitioner in connection with the FIR in Cr.No.316 of 2025 on the file of the second respondent on the very same day of his surrender and to enlarge the petitioner on bail on the very same day itself by allowing the bail application.



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For Petitioner : Mr.M.S.Jeyakarthik

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

ORDER

The petitioner is the accused in Crime No.316 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 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 Additional District Court No.II for PCR Act Cases, Tirunelveli to consider his bail application on the same day of his surrender.

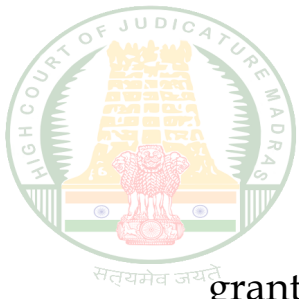


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2.The learned counsel for the petitioner submits that this Court has already granted similar relief to the co-accused in this case. He also submits that Section 18 of the SC/ST (POA) Act prohibits grant of anticipatory bail in the cases registered 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 application filed by the accused on the same day of his surrender.

3.The learned Government Advocate (Crl. Side) appearing for the official respondents confirms that this Court has already



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granted similar relief to the co-accused.

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

5.Considering the fact that this Court has already granted similar relief to the co-accused, this Criminal Original Petition is allowed with a direction to the petitioner to surrender before the Additional District Court No.II for PCR Act Cases, Tirunelveli, 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 complainant along with the proposed date of their surrender, enabling the complainant to submit their arguments, if any. The



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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

To

- 1.The Additional District Court No.II for PCR Act Cases,
Tirunelveli.
- 2.The Assistant Commissioner of Police,
Palayamkottai, Tirunelveli City.
- 3.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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