

CrI.O.P.(MD)No.13519 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

CrI.OP(MD)No.13519 of 2025

Kajendran @ Kaja

... Petitioner

versus

1.The State of Tamilnadu Rep.by its
The Deputy Superintendent of Police,
Keelakarai, Ramanathapuram District.

2.The State of Tamilnadu Rep.by its
The Sub Inspector of Police,
Thiurpullani Police Station,
Ramanathapuram District.
(Cr.No.112 of 2025)

3.Ajith Babu

4. Rohit
S/o.Packiaraj,
Vallimadan Valasai,
Kuthakottai,
Ramanathapuram District
Rep.through his father Packiaraj,
S/o.Not Known to this Petitioner,
Vallimadan Valasai,
Kuthakottai, Ramanathapuram District.

5. Tharun
S/o.Packiaraj,
Vallimadan Valasai,
Kuthakottai,
Ramanathapuram District Rep.through
his father Packiaraj, S/o.Not Known to this Petitioner,
Vallimadan Valasai, Kuthakottai, Ramanathapuram District.



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6. Mugadeesh Raja
S/o.Rajapandi, Vallimadan Valasai,
Kuthakottai, Ramanathapuram District
Rep.through his father Rajapandi,
S/o.Not Known to this Petitioner,
Vallimadan Valasai, Kuthakottai,
Ramanathapuram District

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to pass an order of direction to the Special Court for the Exclusive Trial of SC and ST Cases, Ramanathapuram to consider the bail application of the petitioner in connection with the FIR in Cr.NO.112 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.

For Petitioner : Mr.M.S.Jeyakarthik

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

ORDER

The petitioner is an accused in Crime No.112 of 2025 on the file of the 2nd respondent Police. The said case was registered for the offences under Sections 189(2), 296(b), 126(2), 115(2), 118(1), 324(5) & 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 the Exclusive Trial of SC and ST cases, Ramanathapuram, to consider his bail application on the same day of his surrender.

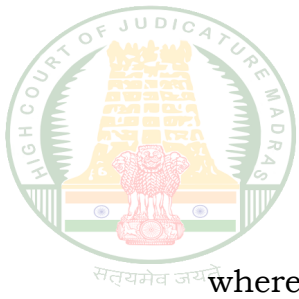


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2. The case of the prosecution is that, on 20.07.2025, at about 5.00 p.m., when the defacto complainant and his three friends were standing at a tea shop, three unknown persons arrived on a motorcycle and made threatening gestures towards the defacto complainant before fleeing on the said vehicle. The defacto complainant and his friends followed them and found the said persons at a cricket ground along with some others. When they questioned them, the accused persons allegedly attacked the defacto complainant and his friends using a cricket bat and an iron rod, and further issued severe threats to their lives with dire consequences. According to the petitioner, the above allegations are false, and the defacto complainant has lodged a false complaint against him and others.

3. The learned counsel appearing for the petitioner 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



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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. Heard the learned Government Advocate (Crl. Side).

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 the Exclusive Trial of SC and ST cases, Ramanathapuram, 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



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To

1. The Special Court for the Exclusive trial of
SC and ST cases, Ramanathapuram.
2. The Deputy Superintendent of Police,
Keelakarai, Ramanathapuram District.
- 2.The Sub Inspector of Police,
Thiurpullani Police Station,
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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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