



Crl.O.P.(MD)No.13520 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13520 of 2025

Arun

... Petitioner/1st Accused

Vs

1. The State of Tamilnadu,
Represented by the Deputy Superintendent of Police,
Vallam,
Thanjavur District.

...1st respondent/
Investigation Officer

2. The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.265 of 2025).

...2nd Respondent/Complainant

3. Dr.G.Arumugam

...3rd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Additional District and Sessions Judge (PCR), Thanjavur to consider the bail application of the petitioner in Cr.No.265 of 2025 on the file of the 1st respondent Police on the same date of surrender and dispose the same on its merits in accordance with law.

For Petitioner : Mr.Eashwar.T

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



CrI.O.P.(MD)No.13520 of 2025

WEB COPY

ORDER

The petitioner is the accused in Crime No.265 of 2025 on the file of the first respondent Police. The said case was registered for the offences under Sections 191(2), 127(2), 296(b), 115(2), 118(1), 351(3) of IPC and Section 3(1) of TNPPDL Act, 1992 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Amendment Act, 2015. Therefore, the petitioner has filed this petition seeking a direction to the learned Additional District and Sessions Judge (PCR), Thanjavur, to consider the bail application on the same day of his surrender.

2.The case of the prosecution is that the defacto complainant is working as an Assistant Professor in Abi & Abi Arts and Science College, Vayalur, for the past three months. The college was operating by inviting Teachers for 30 days a month. The defacto complainant had filed a complaint with CM Cell, for which, on 01.05.2025, at the instigation of the college Chairman, more than four people locked the room and assaulted the the defacto complainant and scolded him using his caste name. Hence, the complaint has been filed.



Crl.O.P.(MD)No.13520 of 2025

WEB COPY

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and no such occurrence was happened as stated by the defacto complainant in his complaint.

4.The learned counsel for the petitioner would also submit 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.

5.The learned Government Advocate (Crl. Side) appearing for the official respondents submits that the defacto complainant is a Professor of the above said college. The petitioner along with other accused persons attacked the defacto complainant for having made a complaint before the



Crl.O.P.(MD)No.13520 of 2025

CM cell regarding the college operating illegally for 30 days a month.

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

7. Considering the nature of offences and also considering the manner in which the petitioner had assaulted the defacto complainant, who is working as the Professor of the said college, this Court is not inclined to grant relief to the petitioner. Accordingly, this petition is dismissed.

19.08.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

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CrI.O.P.(MD)No.13520 of 2025

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To

- 1.The Deputy Superintendent of Police,
Vallam,
Thanjavur District.
2. The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.13520 of 2025

B.PUGALENDHI, J.

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CrI.OP(MD) No.13520 of 2025

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