

Crl.O.P.(MD)No.13662 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13662 of 2025

Maruthupandi

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by the Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No. 384/2025).

3.Muneeshwaran

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Additional District and Sessions Judge for exclusive trial of PCR Act cases, Sivagangai to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No. 384/2025 on the file of the second respondent.

For Petitioner
For R1 & R2

: Mr.Yeswanth R,
: Mr.P.Kottaichamy
Government Advocate (Crl.side)



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ORDER

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The petitioner is accused in Crime No.384 of 2025, on the file of the second respondent Police. The said case was registered for the alleged offence punishable under Sections 296(b), 115(2), 351(2) of BNS, 2023 and Section 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989. Therefore, the petitioner has filed this petition seeking a direction to the Special Court concerned to dispose of his bail application on the date of his surrender.

2.The case of the prosecution is that on 31.07.2025, when the defacto complainant was sitting in a Pillayar Temple, the petitioner abused him in filthy language by degrading his caste name. Hence, this case.

3.The learned counsel appearing for the petitioner submits that he is an innocent and no occurrence was taken place as projected by the prosecution. The alleged occurrence was happened on 31.07.2025, however, the complaint has been registered after two days i.e on 02.08.2025. Even as per the FIR, there no one has injured. Due to previous enmity, this false case has been foisted as against the



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petitioner. In view of the bar under Section 18 of the SC/ST (POA)

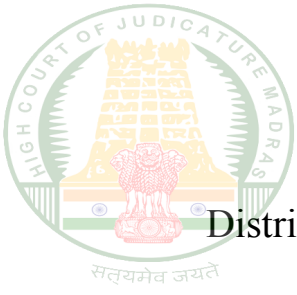
Act, the petitioner is inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioner seeks a direction for disposal of the bail application on the same day. He further submitted that this Court in similar circumstances had issued directions to the Courts concerned where FIR is pending, to consider the bail application filed on the same day of his surrender and therefore, by relying upon the similar orders, the petitioner prayed for similar directions.

4.Mr.P.Kottaichamy, learned Government Advocate (Crl.side), who takes notice for the respondents 1 & 2 confirms that no one is injured in this case.

5.Considering the submissions of the learned Government Advocate (Crl.side) that no one is injured in this petition, this Court is inclined to grant relief to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed.

The petitioner is directed to surrender before the learned Additional



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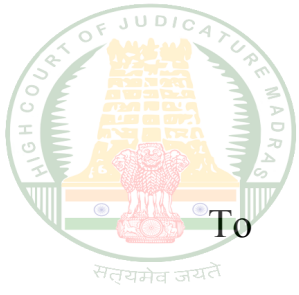
District and Sessions Judge for exclusive trial of PCR Act cases, Sivagangai, within a period of two weeks from the date of receipt of a copy of this order and the learned Judge of the Special Court is directed to entertain the bail application, if any filed by the petitioner on the same day. In the meantime, the petitioner shall serve a copy of the bail petition well in advance to the defacto complainant along with the proposed date of his surrender, enabling the complainant to submit his 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.

18.08.2025

NCC : Yes/No

Index : Yes/No

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- 1.The Additional District and Sessions Judge for exclusive trial of PCR Act cases, Sivagangai
- 2.The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.
- 3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.



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B.PUGALENDHI,J

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Order made in
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