



Crl.O.P.(MD)No.13706 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13706 of 2025

Veeramanikandan

... Petitioner/3rd Accused

Vs.

1.The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(In Cr.No.142 of 2025).

...Respondent Nos.1 and 2/
Complainants

3.Vemprakash

... Respondent No.3/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned I Additional and District Sessions Judge (PCR), Thanjavur to consider the bail application to be file by the petitioner on the same day of his surrender in Cr.No.142 of 2025 on the file of the 2nd respondent police.

For Petitioner : Mr.N.Balasubramanian

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



Crl.O.P.(MD)No.13706 of 2025

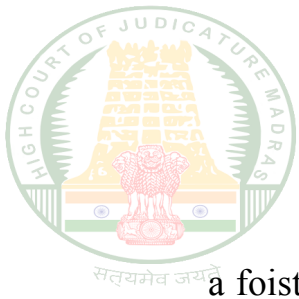
WEB COPY

ORDER

The petitioner is 3rd accused in Crime No.142 of 2025 on the file of the second respondent Police. The said case was registered for the offences under Sections 191(2), 191(3), 126(2), 118(1) of BNS r/w. Sections 3(1)(r), 3(1)(s), 3(1)(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 learned I Additional and District Sessions Judge (PCR), Thanjavur, to consider his bail application on the same day of his surrender.

2.The learned counsel appearing for the petitioner submits that the defacto complainant's friend one Srinivasan and his friend Pandey got quarrel with each other. At that time, the accused persons attacked the defacto complainant with wooden log and stones and abused him using filthy language. Hence, a case has been foisted under the provisions of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989.

3.The learned counsel for the petitioner 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



Crl.O.P.(MD)No.13706 of 2025

WEB COPY

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.

4.The learned Government Advocate (Crl. Side) appearing for the official respondents submits that the defacto complainant has suffered simple injury and he has also been discharged from the hospital.

5.Considering the submissions made on either side, this Criminal Original Petition is allowed with a direction to the petitioner to surrender before the learned I Additional and District Sessions Judge (PCR), Thanjavur, 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



Crl.O.P.(MD)No.13706 of 2025

WEB COPY

advance to the defacto complaint 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.

Indu

19.08.2025

To

- 1.The I Additional and District Sessions Judge (PCR),
Thanjavur.
- 2.The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.
- 3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.13706 of 2025

B.PUGALENDHI, J.

Indu

Crl.OP(MD)No.13706 of 2025

19.08.2025