



Crl.O.P.(MD)No.13771 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

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1. Vijaya @ Vijayalakshmi

2. Veni

3. Rani @ Nagarani

4. Chitra

5. Manjula

6. Mangai @ Mangayarkarasi

7. Mahesh @ Maheshwari

... Petitioners/Accused
Nos.1 to 7

Vs.

1.The Assistant Commissioner of Police,
Anna Nagar Range,
Madurai City.

2.The Inspector of Police,,
Mattuthavani Police Station,
Madurai City.
(In Crime No.555/2025).

...Respondent Nos.1 and 2/
Complainants

3.Renuka Devi

... Respondent No.3/Defacto
Complainant



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Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned District Sessions Court, Special Court for Trial of Cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) PCR Cases, Madurai, to accept the surrender of the petitioners' and consider their bail application and grant bail to them on the same day of their surrender itself in connection with the case in crime No.555 of 2025 on the file of the second respondent Police.

For Petitioners : Mr.Mohammed Farook.H

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

ORDER

The petitioners are the accused persons in Crime No.555 of 2025 on the file of the second respondent Police. The said case was registered for the offences under Sections 296(b), 115(2) of BNS r/w. Sections 3(1)(r), 3(1)(s) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989. Therefore, the petitioners have filed this petition seeking a direction to the learned District Sessions Court, Special Court for Trial of Cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) PCR Cases, Madurai, to consider their bail application on the same day of their surrender.

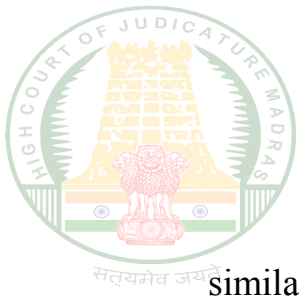


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2.The learned counsel appearing for the petitioners submits that there was a quarrel between the persons working in a flower shop regarding the tearing of Ambedkar's poster, which had been affixed by the defacto complainant. In this connection, there arose a subsequent quarrel between the defacto complainant and the accused persons over a money dispute. On 28.07.2025, at about 3.00 p.m., the accused persons are alleged to have abused the defacto complainant in filthy language, pulled her down, and assaulted her. It is contended that the First Information Report in Crime No. 555 of 2024 has been foisted against the petitioners.

3.The learned counsel for the petitioners also submits that the petitioners are daily coolies in the flower market and they are having issue with regard to the wages. Further, there is no injured person in this case. Further, 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 petitioners will prove their innocence. In view of the bar under Section 18 of the SC/ST (POA) Act, the petitioners are inclined to surrender before the Special Court concerned and to seek regular bail. However, the petitioners seek a direction for disposal of the bail application on the same day. He further submits that this Court in



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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 their surrender.

4.The learned Government Advocate (Crl. Side) appearing for the official respondents submits that the petitioners are said to have attacked the defacto complainant with hands, however, the defacto complainant has not taken any treatment in the hospital.

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

6. Considering the above facts and circumstances, this Criminal Original Petition is allowed with a direction to the petitioners to surrender before the learned District Sessions Court, Special Court for Trial of Cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) PCR Cases, Madurai, 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 petitioners on the same day. In the meantime, the petitioners shall serve a copy of the bail



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petition well in advance to the defacto complaint along with the proposed date of their 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.

19.08.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
Indu

To

- 1.The District Sessions Court,
Special Court for Trial of Cases under
SC/ST (Prevention of Atrocities Act) PCR Cases,
Madurai.
- 2.The Assistant Commissioner of Police,
Anna Nagar Range,
Madurai City.
- 3.The Inspector of Police,,
Mattuthavani Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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