



Crl.O.P.(MD)No.13871 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13871 of 2025

1. Rathinam
2. Aadiyaraj
3. Manikandan
4. Maruthupandi @ambalam
5. Eswaran

... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
Virudhunagar Division,
Virudhunagar District.
- 2.The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District
(In Cr.No.56 of 2025).
- 3.Kalanjiyam
- 4.Muthukannan

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Special Court for (SC/ST(POA) Act Cases), Srivilliputhur to consider the bail application to be filled by the petitioners on the same day on their surrender in connection with



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Cr.No.56 of 2025 on the file of the 2nd respondent.

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

ORDER

The petitioners are accused 1 to 5 in Crime No.56 of 2025, on the file of the second respondent Police. The said case was registered for the offence under Sections 191(2), 296(b), 115(2), 133 of BNS r/w 4 of TNPWH Act and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act,1989. Therefore, the petitioners have filed this petition, seeking a direction to the learned Judge, Special Court for (SC/ST(POA) Act Cases), Srivilliputhur, to consider their bail application on the same day of their surrender.

2.The petitioners said to have assaulted the defacto complainant that he has cut and removed the Karuvelam trees from their lease hold area. Hence, the case.



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3.The learned counsel for the petitioners submits that they are having a civil dispute with the defacto complainants and they are also claiming title over the disputed property. Therefore, according to the learned counsel this is a civil dispute which has been given with a criminal colour. 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 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 petitioners prayed for similar directions.

4.It is reported by the learned Government Advocate(Crl.side) that no weapon is used at the time of occurrence and the nature of injury is simple.



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5. Considering the facts and circumstances of the case and also considering the submissions of the learned Government Advocate (Crl.side), this Criminal Original Petition is disposed of with a direction to the petitioners to surrender before the Special Court for (SC/ST(POA) Act Cases), Srivilliputhur, 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 petition well in advance to the defacto complainant along with the proposed date of their surrender, enabling the complainants 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.

21.08.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn



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- 1.The Special Court for (SC/ST(POA) Act Cases), Srivilliputhur
- 2.The Deputy Superintendent of Police,
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Virudhunagar District.
- 3.The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District



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B.PUGALENDHI, J.

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Order made in
Crl.OP(MD)No.13871 of 2025

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