



Crl.O.P.(MD)No.14384 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

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1.Periyasami @ Periyasamy

2.Thangarasu

... Petitioners/Accused No.4 & 5

Vs.

1.State of Tamil Nadu,
Represented by,
The Deputy Superintendent of Police,
Manapparai Circle, Manapparai,
Trichy District.

2.State of Tamil Nadu,
Represented by its,
The Inspector of Police,
Thuvarankurichi Police Station,
Thuvarankurichi,
Trichy District.
(Crime No.301 of 2025)

3.Mahadevan

...Respondents/Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to direct the Learned I Additional District Court and Special Court for Scheduled



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Castes and Scheduled Tribes (Prevention of Atrocities) Cases, (PCR Court), Trichy to accept the surrender of the petitioners/Accused and consider the petitioners' bail application and grant bail on the date of surrender itself in Crime No.301 of 2025 on the file of the second respondent Police.

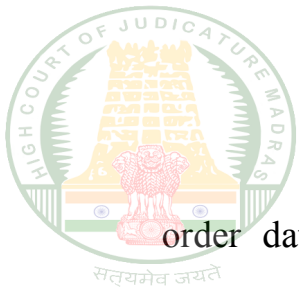
For Petitioners : Mr.M.Silambarasan
For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioners seek a direction to the Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act Cases, Trichy to accept the surrender of the petitioners and consider their bail application on the date of surrender in Crime No.301 of 2025 on the file of the second respondent Police.

2. Admittedly, the earlier petition filed by these petitioners in Crl.O.P. (MD).No.12538 of 2025 was dismissed by this Court on 25.07.2025 on the ground that the victim was still undergoing treatment and the co-accused were arrested and were in custody.

3. The learned counsel for the petitioners would submit that even after the dismissal of the earlier petition, the respondent Police had not chosen to arrest the petitioners and the co-accused were subsequently released on bail by



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order dated 31st July 2025 in Crl.M.P.No.3172 of 2025 by the learned I

Additional District and Sessions Judge (PCR), Trichy. He would also submit that the injured has been discharged from the hospital and there is a counter case filed by the petitioners against the complainant.

4. The learned Additional Public Prosecutor confirms the aforesaid facts.

5. In view of the same, there shall be a direction to the learned I Additional District Judge, Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Cases, (PCR Court), Trichy to consider the petitioners' bail application on the same date of their surrender in connection with Crime No.301 of 2025 on the file of the second respondent and pass appropriate orders in accordance with law. It is needless to say that the Court below while disposing the bail petition shall consider the gravity of the offence, previous antecedent of the petitioners and pass orders, after affording due opportunity to the victim under Section 15-A of the SC/ST (POA) Act, 1989.

6. The petitioners shall surrender before the concerned jurisdictional Court, within a period of fifteen (15) days from the date of receipt of a copy of this order.



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7. This Criminal Original Petition is ordered accordingly.

01.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

- 1.I Additional District Court and Special Court
for Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Cases,
(PCR Court), Trichy.
- 2.The Deputy Superintendent of Police,
State of Tamil Nadu,
Manapparai Circle, Manapparai,
Trichy District.
- 3.The Inspector of Police,
State of Tamil Nadu,
Thuvarankurichi Police Station,
Thuvarankurichi,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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