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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.14657 of 2025

1.Hari Shanmuganathan
2.Muthukrishnan
3.Muniyasamy ... Petitioners/accused rank not known

Vs.

1.State of Tamil nadu,
The Deputy Superintendent of Police,
Tiruchuli Division, Virudhunagar District.

2.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
Crime No.126 of 2025 ... Respondents 1 and 2 /Complainants

3.Rajkumar ...3rd Respondent/ Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to direct the learned Special Sessions Judge for (SC/ST)(POA) Act Cases, Virudhunagar at Srivilliputhur, to accept the surrender of the petitioners and consider their bail application on the same day in connection with Crime No. 126 of 2025 pending on the file of the second respondent police.

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For Petitioner : Mr.A.Balaji

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

ORDER

The petitioners seek a direction to the learned Special Sessions Judge for (SC/ST)(POA) Act Cases, Virudhunagar at Srivilliputhur, to accept the surrender of the petitioners and consider their bail application on the same day in connection with Crime No.126 of 2025 pending on the file of the second respondent police.

2. The learned counsel for the petitioners would submit that the injured has been discharged from the hospital.

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

4. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the facts of the case, there shall be a direction to the learned Special Sessions Judge for (SC/ST)(POA) Act Cases, Virudhunagar at Srivilliputhur, to consider the petitioners' bail application on the same day of

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their surrender in connection with Crime No.126 of 2025 registered for the offences under Sections 296(b) and 115(2) of BNS, 2023, and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 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.

5. 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. The petitioner shall inform in advance the learned Public Prosecutor and the victim of the date of surrender and of the filing of the petition.

6. This Criminal Original Petition is ordered accordingly.

08.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Rmk

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To
1. The Special Sessions Judge for (SC/ST)(POA) Act Cases,
Virudhunagar at Srivilliputhur.

2.The Deputy Superintendent of Police,
Tiruchuli Division, Virudhunagar District.

3.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN, J.

Rmk

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