



Crl.O.P.(MD)No.15156 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15156 of 2025

1.Nithish @ Nithish Kumar

2.Nishanth

... Petitioners/A10 & A11

Vs.

1.The State of Tamil Nadu,
Rep. by,
The Deputy Superintendent of Police,
Kottaiappattinam,
Pudukkottai District.

2.The State of Tamil Nadu,
Rep. by,
The Inspector of Police,
Jegadapattinam Police Station,
Pudukkottai District.
(Crime No.47/2025)

... Respondents 1 and 2/Complainants

3.Manickavasagam

... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Sessions Judge, Special Court for Exclusive Trial of SC/ST (POA) Act Cases, Pudukkottai to accept the surrender of petitioners and consider their bail application on the very same day on merits in connection with Crime No.47/2025 on the file of the second respondent.



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

ORDER

The petitioners seek a direction to the learned Sessions Judge, Special Court for Exclusive Trial of SC/ST (POA) Act Cases, Pudukkottai to accept the surrender of petitioners and consider their bail application on the very same day on merits in connection with Crime No.47/2025 on the file of the second respondent.

2. The learned counsel for the petitioners would submit that the injured has been discharged from the hospital and there is a counter case filed by the petitioners against the complainant.

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 Sessions Judge, Special Court for Exclusive Trial of SC/ST (POA) Act Cases,



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Pudukkottai, to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.47 of 2025 registered for the offences under Section 191(2), 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 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 petitioners 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.

12.09.2025

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

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To

- 1.The Sessions Court,
Special Court for Exclusive Trial of SC/ST (POA) Act Cases,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Kottaiappattinam,
Pudukkottai District.
- 3.The Inspector of Police,
Jegadapattinam Police Station,
Pudukkottai 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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