



Crl.O.P.(MD)No.15372 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15372 of 2025

1.Abishek

2.Harish @ Hari Sudhan

... Petitioners

Vs.

1.The State of Tamilnadu,
Rep. by The Deputy Superintendent of Police (Rural),
Nilakottai, Nilakottai Taluk,
Dindigul District.

2.The State of Tamilnadu,
Rep. by Inspector of Police,
All Woman Police Station,
Nilakottai, Dindigul District
(Crime No.17 of 2025)

3.Priya

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Sessions Judge, Dindigul District, to dispose the bail application filed by the petitioners on merits on the same day on their surrender before the above mentioned concerned Court in pending investigation of Crime No.17 of 2025 on the file of Inspector of Police, All Women Police Station, Nilakottai, Dindigul District.



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For Petitioners : Mr.S.Sarvagan Prabhu

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

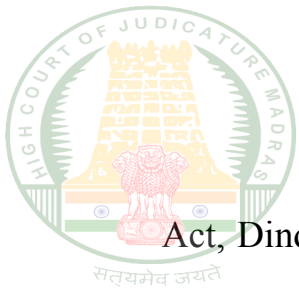
ORDER

The petitioners seek a direction to the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Dindigul District, to consider their bail application on the same day of surrender in Crime No.17 of 2025 on the file of the second respondent Police.

2.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would oppose the grant of such relief, because the first petitioner is an accused of the offence under Section 376 IPC.

3.This Court has not expressed any opinion on the allegations against the Petitioners and on the merits of the case in favor of the petitioners.

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 Cases under SC/ST (POA)



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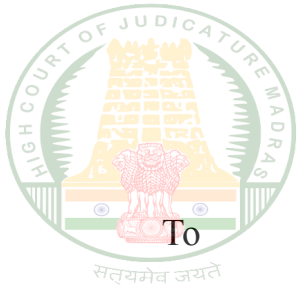
Act, Dindigul District, to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.17 of 2025 registered for the offences under Section 376(1) of IPC and Sections 3(1)(r), 3(1)(w) (i) and 3(1)(w)(ii) of SC/ST (Prevention of Atrocities) Act, 1989 and pass 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 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.

16.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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1. The Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Dindigul District.
2. The Deputy Superintendent of Police (Rural),
Nilakottai, Nilakottai Taluk,
Dindigul District.
3. The Inspector of Police,
All Woman Police Station,
Nilakottai, Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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