



Crl.O.P.(MD)No.15845 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15845 of 2025

1.Bharathraj

2.A.Ezhil

... Petitioners/Accused No.2 & 5

Vs.

1.The State of Tamil Nadu, rep. by its,
The Deputy Superintendent of Police,
Theni, Theni District.

2.The Inspector of Police,
Veerapandi Police Station,
Theni District.
(Crime No.267/2025)

... 1st & 2nd Respondents/Complainant

3.Thangeshwaran

... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Special Court for Exclusive Trial of SC/ST cases, Theni to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.267 of 2025 on the file of 2nd respondent.

For Petitioners : Mr.C.Susikumar

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



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ORDER

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The petitioners seek a direction to the learned Special Judge for Exclusive Trial of SC/ST cases, Theni to consider their bail application on the same day of their surrender in Crime No.267 of 2025 on the file of 2nd respondent.

2. 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 Judge for Exclusive Trial of SC/ST cases, Theni to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.267 of 2025 registered for the offences under Section 3(1)(r) of SC/ST (Prevention of Atrocities) Act, 1989 and Section 126(2) of BNS, 2023 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.



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3. 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.

4. This Criminal Original Petition is ordered accordingly.

22.09.2025

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

To

1. The Special Court for Exclusive Trial of SC/ST cases, Theni.
2. The Deputy Superintendent of Police, Theni, Theni District.
3. The Inspector of Police, Veerapandi Police Station, Theni 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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