



Crl.O.P.(MD)No.16060 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.16060 of 2025

1. E.Kesavan

2. S.Siva

... Petitioners/Accused Rank
not known

Vs.

1.The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
Periyakulam, Theni District.

2.The Inspector of Police,
Devadanapatti Police Station,
Theni District.
Cr.No.365 of 2025.

... Respondents 1 & 2/Complainants

3.B.Nagamani

...3rd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the Sessions Court, the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Theni to consider the bail application of the petitioners on the same day of surrender in Cr.No.365 of 2025 on the file of the 2nd respondent police.

For Petitioners : Mr.C.M.Mari Chelliah Prabhu

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



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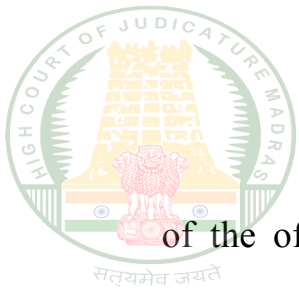
ORDER

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The petitioners seek a direction to the Sessions Court, the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Theni, to consider their bail application on the same day of surrender in Crime No.365 of 2025 on the file of the second respondent Police.

2. The learned Additional Public Prosecutor, on instructions, would submit that the injured has been discharged from the hospital.

3. 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 Sessions Court, the Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Theni, to consider the petitioners' bail application on the same day of his surrender in connection with Crime No.365 of 2025 registered for the offences under Sections 191(2), 296(b), 115(2), 324(4), 351(2) of BNS, 2023 and Section 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



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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.

4. 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.

5. This Criminal Original Petition is ordered accordingly.

23.09.2025

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

Indu



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To

- 1.The Sessions Court,
The Special Court for Exclusive Trial of Cases
under SC/ST (POA) Act, Theni.
- 2.The Deputy Superintendent of Police,
Periyakulam, Theni District.
- 3.The Inspector of Police,
Devadanapatti Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu

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23.09.2025