



Crl.O.P.(MD)No.17185 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.17185 of 2025

1.Rajasimman

2.Kannan Mathavan @ Mathava Kannan

3.Moovendiran Gopal

4.Senthil Krishnan

5.Rajkumar

... Petitioners/Accused 1 to 5

Vs.

1.The State of Tamil Nadu rep. by,
The Deputy Superintendent of Police,
Melur Sub Division,
Melur Taluk,
Madurai District.

... 1st Respondent/Investigation Officer

2.The State of Tamil Nadu rep.by,
The Inspector of Police,
Melur B1 Police Station,
Madurai District.

... 2nd Respondent/Complainant

3.Vairamuthu

... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Special Judge for Trial of Cases Under SC/ST (POA) Act, Madurai District to dispose the bail application to be filed by the petitioners on



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merits on the same day of their surrender before the above mentioned court in pending investigation of Crime No.460 of 2025 on the file of the respondent Police.

For Petitioners : Mr.G.Thalaimutharasu
For R-1 & R-2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

ORDER

The petitioners seek a direction to the learned Special Judge for Trial of Cases under SC/ST (POA) Act, Madurai District to dispose the bail application to be filed by the petitioners on merits on the same day of their surrender before the above mentioned Court in Crime No.460 of 2025 on the file of the respondent Police.

2. The defacto complainant appeared before this Court as party in person and opposed the prayer of the petitioners.

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 learned Special Judge for Trial of Cases under SC/ST (POA) Act, Madurai District to consider the petitioners' bail application on the same day of their surrender in



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connection with Crime No.460 of 2025 registered for the offences under Section 191(2), 296(b), 115(2), 351(2) of BNS, 2023, Section 3(1)(r) and 3(1)(s) 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 of hearing to the victim under Section 15-A of the SC/ST (POA) Act, 1989. It is needless to say that the Court below may hear the objections of the victim at the time of hearing of bail application filed by the petitioners.

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 petitioners 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.

09.10.2025

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

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To

- 1.The Special Court for Trial of Cases
Under SC/ST (POA) Act, Madurai District.
- 2.The Deputy Superintendent of Police,
Melur Sub Division,
Melur Taluk,
Madurai District.
- 3.The Inspector of Police,
Melur B1 Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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SUNDER MOHAN, J.

Lm

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