



Crl.O.P.(MD)No.18149 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.18149 of 2025

Prem @ Premnath

... Petitioner/Accused rank
not known

Vs.

1.The Deputy Superintendent of Police,
Thiruchendur Sub-Division,
Thiruchendur,
Thoothukudi District.

2.The Inspector of Police,
Thiruchendur Police Station,
Tiruchendur,
Thoothukudi District.
(Crime No.397/2025)

... Respondents 1 & 2/Complainants

3.Sundaralingam

... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code (Section 528 of BNSS, 2023), to direct the learned Sessions Judge, Special Court for SC/ST(POA) Act, Thoothukudi to consider the bail application of the petitioner on the same day of his surrender in Crime No.397 of 2025 on the file of the 1st and 2nd respondents police.



WEB COPY



Crl.O.P.(MD)No.18149 of 2025

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

ORDER

The petitioner seeks a direction to the learned Sessions Judge, Special Court for SC/ST(POA) Act, Thoothukudi to consider his bail application on the same day of his surrender in Crime No.397 of 2025 on the file of the respondent police.

2. Since this Court is directing the Court below to consider the bail application after giving notice to the victim, notice to the victim in this case is dispensed with.

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 Sessions Judge, Special Court for SC/ST(POA) Act, Thoothukudi to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.397 of 2025 registered for the offences under Section 3(5), 296(b), 115(2), 118(1), 324(4), 303(2) of BNS, 2023, Section 3(1)(r) and 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 and pass



Crl.O.P.(MD)No.18149 of 2025

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 petitioner and pass orders, after affording due opportunity of hearing to the victim under Section 15-A of the SC/ST (POA) Act, 1989.

4. The petitioner 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.

17.10.2025

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



Crl.O.P.(MD)No.18149 of 2025

To

1. The Sessions Court,
Special Court for SC/ST(POA) Act,
Thoothukudi.
2. The Deputy Superintendent of Police,
Thiruchendur Sub-Division,
Thiruchendur,
Thoothukudi District.
3. The Inspector of Police,
Thiruchendur Police Station,
Thiruchendur,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.18149 of 2025

SUNDER MOHAN, J.

Lm

Crl.O.P(MD).No.18149 of 2025

17.10.2025