



Crl.O.P.(MD)No.18216 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

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Shivarama Pandian

... Petitioner/Accused rank
not known

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruchendur,
Thoothukudi District.

2.The State of Tamil Nadu,
Rep. by Its,
The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
(Crime No.397 of 2025)

... Respondents 1 & 2/Complainants

3.Sundaralingam

... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi, Thoothukudi District to consider and disposal of the bail application to be filed by the petitioner on the same day of its filing on his surrender in connection with the case in Crime No.397 of 2025 on the file of the Inspector of Police, Thiruchendur Police Station, Thoothukudi District.



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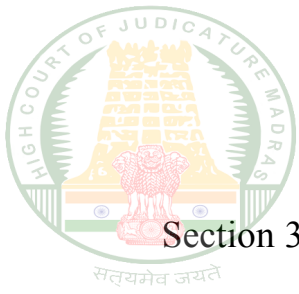
For Petitioner : Mr.S.Micheal Heldon Kumar
For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner seeks a direction to the learned Special Judge for Trial of Cases under SC/ST (POA) Act, Thoothukudi District to consider and dispose of the bail application to be filed by the petitioner on the same day of its filing on his surrender in connection with the case in Crime No.397 of 2025 on the file of the Inspector of Police, Thiruchendur Police Station, Thoothukudi District.

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 Special Judge for Trial of Cases under SC/ST (POA) Act, Thoothukudi District 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



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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 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



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To

1. The Special Court for Trial of Cases
under SC/ST (POA) Act,
Thoothukudi District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruchendur,
Thoothukudi District.
3. The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi 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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