



Crl.O.P.(MD)No.18620 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.18620 of 2025

1.K.Ajay

2.O.Sudharsan

... Petitioners /Accused Nos.1 & 2

Vs.

1. The State of Tamil Nadu rep. By its
The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Othakadai, Madurai.

2. The Inspector of Police,
Appanthirupathy Police Station,
Madurai District.
(Crime No.153 /2025)

.. Respondents 1 & 2 / complainants

3. Ayyasamy

..3rd Respondent/ defacto complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the Special Court for Scheduled Caste and Prevention of Atrocities Act, Madurai to consider the bail application of the petitioner concerned in Crime No.153 of 2025, on the file of the Inspector of Police, Appanthirupathy Police Station, Madurai District / the 1st respondent herein.



For Petitioners : Mr.P.Ramasundarvijayaraj
For Respondents 1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioners seek a direction to the Special Court for Scheduled Caste and Prevention of Atrocities Act, Madurai to pass order on their bail petition on the same day of surrender in Crime No.153 of 2025 on the file of the Inspector of Police, Appanthirupathy Police Station, Madurai 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 Special Court for Scheduled Caste and Prevention of Atrocities Act, Madurai, to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.153 of 2025 registered for the offences under Sections 296(b) of BNS, 2023, Section 3(1)(r) and 3(1)(s) of SC/ST



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(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.

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.

29.10.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

Indu



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To

1. The Special Courts for Scheduled Caste and Prevention of Atrocities Act, Madurai.
2. The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Othakadai, Madurai.
3. The Inspector of Police,
Appanthirupathy Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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