



Crl.O.P.(MD)No.18563 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.18563 of 2025

1. Annathai

2. Vanitha

... Petitioners /Accused 1 & 2

Vs.

1. The State of Tamil Nadu,
rep. By its the Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2. The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Andipatti,
Theni District.

3. The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.259/2025)

4.Selvameena

..Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023 to direct the Special Court for SC/ST (POA), Theni District to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.259 of 2025 on the file of the 3rd respondent police.



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For Petitioner : Mr.Kannan Gurusamy
For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioners seek a direction to the Special Court for SC/ST (POA), Theni District to pass order on their bail petition on the same day of surrender in Crime No.259 of 2025 on the file of the Inspector of Police, Kadamalaikundu Police Station, Theni 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 SC/ST (POA), Theni District, to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.259 of 2025 registered for the offences under Section 296(b), 115(2) of BNS, 2023,



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Section 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 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 Court for SC/ST (POA), Theni District
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
- 3.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Andipatti,
Theni District.
- 4.The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu

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