



Crl.O.P.(MD)No.18782 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.18782 of 2025

Jayapushpam

... Petitioner/Accused No.3

Vs.

1.The State of Tamilnadu,
Represented by the Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.

2.The State of Tamilnadu,
Represented by the Inspector of Police,
All Women Police Station,
Andipatti,
Theni District.
Crime No.35 of 2025.

...1st and 2nd Respondents/Complainants

3.Jeyasri

... 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, Theni District, to dispose the bail application filed by the petitioner on merits on the same day on her surrender before the above mentioned concerned Court in pending investigation of Crime No.35 of 2025 on the file of the Inspector of Police, All Women Police Station, Andipatti, Theni District.



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For Petitioner : Mr.S.Sarvagan Prabhu
For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner seeks a direction to the Special Court for trial of cases under SC/ST(POA) Act, Theni District, to consider his bail application on the same day of his surrender in Crime No.35 of 2025 on the file of the 2nd respondent.

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 trial of cases under SC/ST(POA) Act, Theni District, to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.35 of 2025 for the offences under Sections 69, 296(b) and 351(2) of BNS, 2023 and Section 3(1)(w)(i), 3(1)(r), 3(1)(s) and 3(2)(v) of SC/ST (Prevention of Atrocities) Act, 1989 and pass appropriate orders in accordance



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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.

29.10.2025

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

Indu



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To

- 1.The Special Court for trial of cases under SC/ST(POA) Act,
Theni District.
- 2.The Deputy Superintendent of Police,
Andipatti Sub Division,
Theni District.
- 3.The Inspector of Police,
All Women Police Station,
Andipatti,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu

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