



Crl.O.P.(MD)No.18673 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.18673 of 2025

Kavinesh @ Kavim

... Petitioner /Accused No.3

Vs.

1. State of Tamil Nadu rep. By
The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Ramanthapuram Division,
Ramanathapuram District.

2. The Inspector of Police,
Devipattinam Police station,
Ramanathapuram District.
(Crime No.206 /2025)

.. Respondents 1 & 2 / complainants

3. Nithya Gowri

..3rd Respondent/ defacto complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023 to direct the learned Sessions Judge, Special Court for Exclusively Trial of Cases under SC/ ST (POA) Act, Ramanathapuram District to consider the bail application of the petitioner on the same day on his surrender itself in Crime No.206 of 2025 on the file of the 2nd respondent Police.



For Petitioners : Mr.K.Yasar Arafath
For Respondents 1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner seeks a direction to the learned Sessions Judge, Special Court for Exclusively Trial of Cases under SC/ ST (POA) Act, Ramanathapuram District, to consider his bail application on the same day of his surrender in Crime No.206 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 learned Sessions Judge, Special Court for Exclusively Trial of Cases under SC/ ST (POA) Act, Ramanathapuram District, to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.206 of 2025 for the offences under Sections 296(b), 118(1) and 351(3) of BNS,



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2023 r/w. Sections 3(1)(r), 3(1)(s) and 3(3)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 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.

29.10.2025

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

Indu



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WEB COPY

To

- 1.The learned Sessions Judge,
Special Court for Exclusively Trial of Cases
under SC/ ST (POA) Act,
Ramanathapuram District.
- 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Ramanthapuram Division,
Ramanathapuram District.
- 3.The Inspector of Police,
Devipattinam Police station,
Ramanathapuram 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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29.10.2025