



Crl.O.P.(MD)No.18863 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.18863 of 2025

Pachaipal @ Jeyapandi

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The State of Tamil Nadu,
Represented by Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
(In Crime No.191 of 2025).

... Respondents 1 & 2/Complainant

3.Thavasivalavan

... 3rd Respondent/De-facto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned III Additional District and Sessions Judge, Special Court for SC/ST (POA) Act, Madurai to consider the petitioner bail application on merits on the date of surrender on the same day in Crime No.191 of 2025 on the file second respondent.

For Petitioner : Mr.S.Mahendrapathy

For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

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The petitioner seeks a direction to the learned District and Sessions Judge, Special Court for SC/ST (POA) Act, Madurai, to consider his bail application on the same day of his surrender in Crime No.191 of 2025 on the file of the second 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 District and Sessions Judge, Special Court for SC/ST (POA) Act, Madurai, to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.191 of 2025 for the offences under Sections 296(b), 115(2) and 118(1) of BNS, 2023 and Sections 3(1)(r), 3(1)(s), 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



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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

To

- 1.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
- 2.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN, J.

Indu

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