



*Crl.O.P.(MD)No.19136 of 2025*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 04.11.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**Crl.O.P.(MD).No.19136 of 2025**

1.Marisamy

2.Balamurali

3.Arul Kumar

4.Sathyaseelan

... Petitioners/Accused 1 to 4

**Vs.**

1.The State of Tamil Nadu, Rep. by,  
The Deputy Superintendent of Police,  
Rajapalayam Sub Division,  
Virudhunagar District.

2.The State of Tamil Nadu Rep. by,  
The Inspector of Police,  
Rajapalayam North Police Station,  
Virudhunagar District.

(Crime No.588 of 2025) ... Respondents 1 & 2/Complainants

3.Parameswaran

... 3<sup>rd</sup> Respondent/Defacto Complainant

**Prayer:** Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned District and Sessions Judge (Special Court for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act cases (PCR Court), Virudhunagar District at Srivilliputhur to consider the bail application of the



***Crl.O.P.(MD)No.19136 of 2025***

petitioners on the same day of surrender in Crime No.588 of 2025 on the file of the second respondent Police Station.

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

### **ORDER**

The petitioners seek a direction to the learned District and Sessions Judge (Special Court for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act cases (PCR Court), Virudhunagar District at Srivilliputhur to consider their bail application on the same day of surrender in Crime No.588 of 2025 on the file of the second respondent.

2. The learned counsel for the petitioners would submit that the petitioners 1 and 2 were arrested and sought permission of this Court to withdraw this petition as regards the petitioners 1 and 2. He has also made an endorsement to that effect.

3. In view of the above submission, this Criminal Original Petition is dismissed as withdrawn as against the petitioners 1 and 2.



***Crl.O.P.(MD)No.19136 of 2025***

4. Since this Court is directing the Court below to consider the bail application of the petitioners 3 and 4 after giving notice to the victim, notice to the victim in this case is dispensed with.

5. 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 Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act cases (PCR Court), Virudhunagar District at Srivilliputhur to consider the bail application of the petitioners 3 and 4 on the same day of their surrender in connection with Crime No.588 of 2025 registered for the offences under Section 296(b), 115(2), 351(2) of BNS, 2023, Section 3(1)(r), 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 3 and 4 and pass orders, after affording due opportunity of hearing to the victim under Section 15-A of the SC/ST (POA) Act, 1989.



**Crl.O.P.(MD)No.19136 of 2025**

6. The petitioners 3 and 4 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 3 and 4 shall inform in advance the learned Public Prosecutor and the victim of the date of surrender and of the filing of the petition.

7. Accordingly, this Criminal Original Petition is ordered only insofar as the petitioners 3 and 4 are concerned.

**04.11.2025**

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

To

- 1.The District and Sessions Court  
(Special Court for Scheduled Caste and Scheduled Tribe  
(Prevention of Atrocities) Act cases (PCR Court),  
Virudhunagar District at Srivilliputhur.
- 2.The Deputy Superintendent of Police,  
Rajapalayam Sub Division,  
Virudhunagar District.
- 3.The Inspector of Police,  
Rajapalayam North Police Station,  
Virudhunagar District.



***Crl.O.P.(MD)No.19136 of 2025***

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



***Crl.O.P.(MD)No.19136 of 2025***

**SUNDER MOHAN, J.**

Lm

**Crl.O.P(MD).No.19136 of 2025**

**04.11.2025**