



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD).No.19294 of 2025

Kamal @ Kamalanathan

... Petitioner/ Accused No. 10

Vs.

1.The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.

2.The State of Tamilnadu
The Inspector of Police,
Kallal Police Station,
Sivagangai District.
(Crime No.12/2025)

... Respondents 1 and 2/Complainants

3.Manikandan

... Respondent 3/ Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, To direct the Additional District Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider and dispose of the bail application of the petitioner in Crime No.12 of 2025 on the file of the 2nd respondent on the same day of his surrender.

For Petitioner : Mr.K.Gokul

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



ORDER

The petitioner seeks a direction to the Additional District Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider his bail application on the same day of his surrender in Crime No.12 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 Additional District Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.12 of 2025 for the offences under Sections 191(2), 191(3), 329(3), 296(b), 115(2) and 351(2) 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 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.

05.11.2025

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

Indu

To

1. The Additional District Sessions Court
for the exclusive trial of (PCR) Act cases,
Sivagangai.
2. The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.
3. The Inspector of Police,
Kallal Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



SUNDER MOHAN, J.

Indu

Crl.O.P(MD).No.19294 of 2025

05.11.2025