



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD).No.19307 of 2025

S.Karthigairajan @ Karthik

... Petitioner/Sole Accused

Vs.

1.The State of Tamil Nadu,
Rep by the Deputy Superintendent of Police,
Sivagangai, Sivagangai District.

2.The State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Elayangudi Police Station, Elayangudi
Sivagangai District.
Cr.No.348/2025.

.....Respondent 1 and 2/Complainants

3.M.Veeramani

... 3rd Respondent/ Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Sessions Judge for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Amendment Act, 2015, Sivagangai District Court Complex, Sivagangai to accept the surrender of the petitioner and dispose of the bail application of the petitioner in connection with First Information Report in Crime No.348 of 2025 dated 25.10.2025 on the file of the 2nd respondent police, on the merits on the same day.

For Petitioner : Mr.V. Karthikeyan

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



ORDER

The petitioner seeks a direction to the learned Sessions Judge for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Amendment Act, 2015, Sivagangai District Court Complex, Sivagangai, to consider his bail application on the same day of his surrender in Crime No.348 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 for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Amendment Act, 2015, Sivagangai District Court Complex, Sivagangai, to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.348 of 2025 for the offences under Sections 329(4), 296(b), 118(1) of BNS, 2023 and Sections 3(1)(r) and 3(1)(s) 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,



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 Sessions Judge Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act cases, Sivagangai District Court Complex, Sivagangai.

2. The deputy Superintendent of Police, Sivagangai, Sivagangai District.

2. The Sub Inspector of Police, Elayangudi Police Station, Elayangudi Sivagangai 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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