



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD).No.19434 of 2025

1.Isebella

2.Stephen

3.Millar

4.Riyash

... Petitioners /Accused A1 to A4

Vs.

1.The State of Tamil Nadu

Rep by, The Deputy Superintendent of Police,
Oddanchatram, Dindigul District.

2.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
(Crime No.295/2025)

... Respondents 1 and 2/Complainants

3.Gunasekaran

... 3rd Respondent/Defacto Complainants

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, To direct the Special Court for SC/ST Cases, Dindigul, to accept the surrender of the petitioner and to consider the petitioner's bail application on the same day in connection with Cr.No.295 of 2025 on the file of the respondent police.

For Petitioners : Mr.A. Arul Jenifer

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



ORDER

The petitioners seek a direction to the Special Court for SC/ST Cases, Dindigul, to pass order on their bail petition on the same day of surrender in Crime No.295 of 2025 on the file of the second respondent.

2. The learned Additional Public Prosecutor, on instructions, would submit that in so far as the petitioners 2 and 3 are concerned, an investigation has been completed as “further action dropped” and the order may be passed in respect of petitioners 1 and 4.

3. 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 Special Court for SC/ST Cases, Dindigul, to consider the petitioners 1 and 4 bail application on the same day of their surrender in connection with Crime No.295 of 2025 registered for the offences under Sections 296, 126(2), 115(2), 351(2) of BNS, 2023, Section 3(1)(r) and 3(1)(s) and 3(1)(p) 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 1 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.

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4. The petitioners 1 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 1 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.

5. This Criminal Original Petition is ordered accordingly.

05.11.2025

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

Indu

To

- 1.The Special Court for SC/ST Cases,
Dindigul.
- 2.The Deputy Superintendent of Police,
Oddanchatram, Dindigul District.
- 3.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,



Madurai.

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SUNDER MOHAN, J.

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