



Crl.O.P.(MD)No.19837 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19837 of 2025

Thirumalai

... Petitioner/Accused No.9

Vs.

1.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.

2.The State represented by,
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
(In Crime No.380/2025)

... Respondents 1 & 2/Complainants

3.Manjula

... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the Learned Principal Sessions Judge (Special Court for PCR Cases), Thanjavur District to consider the bail application filed by the petitioner on the same day of surrender in Crime No.380 of 2025 on the file of the 2nd respondent police.

For Petitioner : Mr.P.Ganapathi Subramanian

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 Principal Sessions Judge (Special Court for PCR Cases), Thanjavur District to consider his bail application on the same day of surrender in Crime No.380 of 2025 on the file of the second respondent police.

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 Principal Sessions Judge (Special Court for PCR Cases), Thanjavur District to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.380 of 2025 for the offences under Section 191(2), 191(3), 329(4), 296(b), 131, 324(4), 351(3) of BNS, 2023, Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 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



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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.

12.11.2025

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

To

1.The Principal Sessions Court
(Special Court for PCR Cases),
Thanjavur District.

2.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.

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3.The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.

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



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SUNDER MOHAN, J.

Lm

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