



Crl.O.P.(MD)No.21106 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.21106 of 2025

1.Raja

2.Selvamani

3.Karmegam

... Petitioners/Accused No.1 to 3

Vs.

1.The State of Tamil Nadu Rep. by,
The Deputy Superintendent of Police,
Melur,
Madurai District.

2.The State of Tamil Nadu Rep. by,
The Inspector of Police,
Melavalavu Police Station,
Madurai District.
In Crime No.173 of 2025.

... Respondents 1 & 2/Complainants

3.Selvi

... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the learned Special Court for Trial of Cases registered under SC/ST (POA) Act 1989, Madurai, to accept the surrender of the petitioners and consider their bail application on the same day in Crime No.173 of 2025 pending on the file of the 2nd respondent Police.



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

ORDER

The petitioners seek a direction to the learned Special Judge for Trial of Cases registered under SC/ST (POA) Act, Madurai, to accept the surrender of the petitioners and consider their bail application on the same day in Crime No.173 of 2025 pending on the file of the second 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 Special Judge for Trial of Cases registered under SC/ST (POA) Act, Madurai to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.173 of 2025 registered for the offences under Section 296(b), 115(2), 75, 351(2) of BNS, 2023, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, Section 3(1)(r), 3(1)(s), 3(1)



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(w)(l) 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 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 petitioners 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 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.

26.11.2025

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



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To

1. The Special Court for Trial of Cases
registered under SC/ST (POA) Act,
Madurai.
2. The Deputy Superintendent of Police,
Melur,
Madurai District.
3. The Inspector of Police,
Melavalavu Police Station,
Madurai 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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