



WEB COPY



Crl.O.P.(MD)No.22112 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2024

CORAM

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD)No.22112 of 2024

Noorul Hudha @ Bagathsingh @ Noorul Heetha : Petitioner

Vs.

1. The Deputy Superintendent of Police
Palani Division
Dindigul District

2. The Inspector of Police
Palani Taluk Police Station
Dindigul District

3. Chithiraiselvi : Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for trial of SC/ST Act Cases, Dindigul to consider his bail application on the same day of his surrender in respect of Crime No. 484 of 2024 on the file of the 2nd respondent, pending investigation.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.K.Sanjai Gandhi
No.1 and 2 Government Advocate(Crl.Side)



Crl.O.P.(MD)No.22112 of 2024

ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the Special Court for trial of SC/ST Act Cases, Dindigul to consider his bail application on the same day of his surrender in respect of Crime No. 484 of 2024 on the file of the 2nd respondent, pending investigation.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate(Crl.Side) appearing for the respondents 1 and 2 and perused the materials available on record.

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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Court for trial of SC/ST Act Cases, Dindigul to accept the surrender of the petitioner and consider the bail application of the petitioner on the same day on merits in the event of his surrender in connection with Crime No. 484 of 2024 on the file of the second respondent police, and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under Section 15-A of the



Crl.O.P.(MD)No.22112 of 2024

SC/ST Act. The petitioner shall surrender before the concerned jurisdictional Court, within a period of fifteen days, from the date of the receipt of a copy of this order.

4. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders. Mere direction issued by this Court to consider the bail petition on the same day, does not amount to consider it favorably.

5. With the above direction, this Criminal Original Petition stands allowed.

16.12.2024

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

Note: Issue order copy on 17.12.2024



Crl.O.P.(MD)No.22112 of 2024

To

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



WEB COPY



Crl.O.P.(MD)No.22112 of 2024

K.K.RAMAKRISHNAN,J.

aav

Crl.O.P.(MD)No.22112 of 2024

16.12.2024