



WEB COPY



*Crl.O.P.No.2668 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

**Crl.O.P.No.2668 of 2025**

Sivandhu

... Petitioner

Vs.

1. State represented by its  
The Deputy Superintendent of Police,  
Thiruchendur Sub Division,  
Perambalur District.

2. The Inspector of Police,  
Kunnam Police Station,  
Perambalur District.  
(Crime No.533 of 2024)

3. Thiruvassugam .. Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Special Court for Trial of Cases under the SC and ST (POA) Act, Perambalur to pass order on the bail petition filed by the petitioner on the same day of surrender in Crime No.533 of 2024, on the file of the Inspector of Police, Kunnam Police Station, Perambalur District.

For Petitioner : Mr.S.B.Kayvin Prince

For R1 and R2 : Mr.K.M.D.Muhilan  
Government Advocate (Crl.side)



*Crl.O.P.No.2668 of 2025*

## **ORDER**

WEB COPY

This petition is filed for a direction directing the Special Court for Trial of Cases under the SC and ST (POA) Act, Perambalur to pass order on the bail petition filed by the petitioner on the same day of surrender in Crime No.533 of 2024, on the file of the Inspector of Police, Kunnam Police Station, Perambalur District.

2. 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 possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Court for Trial of Cases under the SC and ST (POA) Act, Perambalur, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.533 of 2024 and pass appropriate orders in accordance with law, after affording due opportunity to the victim under Section 15(a) of the 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.



*Crl.O.P.No.2668 of 2025*

WEB COPY

3. 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 favourably.

4. With the above direction, the Criminal Original Petition stands disposed of.

03.02.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
mn



*Crl.O.P.No.2668 of 2025*

**G.K.ILANTHIRAIYAN, J.**

mn

To

1. The Deputy Superintendent of Police,  
Thiruchendur Sub Division,  
Perambalur District.
2. The Inspector of Police,  
Kunnam Police Station,  
Perambalur District.
3. The Public Prosecutor,  
High Court, Madras.

Crl.O.P.No.2668 of 2025

03.02.2025