



Crl.O.P.No.2766 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2025

CORAM:

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

Crl.O.P.No. 2766 of 2025

V.Velusamy

... Petitioner

Vs.

1.The Superintendent of Police,
38JR+RC3, Palladam Main Road,
Karuppa Gaundanpalayam,
Tiruppur - 641604

2.State, Rep. by
The Inspector of Police,
15 Velampalayam Police Station,
Tiruppur District.

3. Vengadasalam

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the Special Court in the cadre of District Judge for Trial of cases under Scheduled Castes and Schedule Tribes (Prevention of Atrocities Act, 1989), Tiruppur to consider the bail application filed by the petitioner on his surrender in connection with Crime No. 39 of 2025 dated 10.01.2025 on the file of the respondent on the same day.

For Petitioners : Ms.B.Sasikala



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Crl.O.P.No.2766 of 2025

For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)

ORDER

This petition is filed for a direction to the Special Court in the cadre of District Judge for Trial of cases under Scheduled Castes and Schedule Tribes (Prevention of Atrocities Act, 1989), Tiruppur, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.39 of 2025, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 person, there shall be a direction to the Special Court in the cadre of District Judge for Trial of cases under Scheduled Castes and Schedule Tribes (Prevention of Atrocities Act, 1989), Tiruppur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 39 of 2025 and pass appropriate orders in accordance



Crl.O.P.No.2766 of 2025

WEB COPY

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.

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.

04.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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Crl.O.P.No.2766 of 2025

G.K.ILANTHIRAIYAN, J.

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To

1.The Special Court in the cadre of District Judge for Trail of cases under Scheduled Castes and Schedule Tribes (Prevention of Atrocities Act, 1989), Tiruppur

2.The Superintendent of Police,
38JR+RC3, Palladam Main Road,
Karuppa Gaundanpalayam,
Tiruppur - 641604

3.The Inspector of Police,
15 Velampalayam Police Station,
Tiruppur District.

4.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.2766 of 2025

04.02.2025