



CrI.O.P.No.2961 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.2961 of 2025

K.Edwin Santhosh Kumar

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Coonoor Division,
Nilgiris District.

2. The State represented by Inspector of Police,
Upper Coonoor Police Station,
Nilgiris District.
(Crime No.2 of 2025)

3. M.Muruganantham

... Respondents

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the District and Sessions Court Nilgiris @ Udhagamandalam to consider the bail application of the petitioner concerned in Crime No.2 of 2025 on the file of the Inspector of Police, Upper Coonoor Police Station, Nilgiris District on his surrender on the same day on such terms and conditions.



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For Petitioner : Mr.S.Kaithamalai Kumaran

For Respondents : Mr.R.Vinothraja,
Government Advocate (Crl.Side)
(for R1 & R2)

O R D E R

This petition is filed for a direction to the District and Sessions Court Nilgiris @ Udhagamandalam, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.2 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 persons, there shall be a direction to the District and Sessions Court Nilgiris @ Udhagamandalam, to consider the petitioner's bail application, preferably on the same day of his surrender in



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connection with Crime No.2 of 2025 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.

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, this Criminal Original Petition stands disposed of.

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Index:Yes/No
Neutral Citation/Yes/No
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To

1. The Deputy Superintendent of Police,
Coonoor Division,
Nilgiris District.
2. The Inspector of Police,
Upper Coonoor Police Station,
Nilgiris District.
3. The District and Sessions Court Nilgiris
@ Udhagamandalam



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G.K.ILANTHIRAIYAN, J.

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