



Crl.O.P.No.2756 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. 2756 of 2025

1.Magalingam
2.Vasantha
3.Vasanthi @ Vasanthal
4.Ganesan @ Ganesan Naiyakkan ... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Rasipuram, Namakkal District

2.The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
[Crime No.332 of 2024]

3.Veerasley .. 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 SC/ST (POA) Act cases, Namakkal District to consider the bail application filed by the Petitioners on their surrender in connection with Crime No. 332 of 2024 on the file of the 2nd respondent police on the same day

For Petitioners : Mr.W.Camyles Gandhi



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

This petition is filed for a direction to the Special Court for Trial of cases under SC/ST (POA) Act cases, Namakkal, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.332 of 2024, 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 Special Court for Trial of cases under SC/ST (POA) Act cases, Namakkal, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 332 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 petitioners shall surrender before the concerned jurisdictional Court



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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 petitioners 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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G.K.ILANTHIRAIYAN, J.
Lpp

To

1.The Special Court for Trial of cases under SC/ST (POA) Act cases,
Namakkal

2.The Deputy Superintendent of Police,
Rasipuram,
Namakkal District

3.The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

4.The Public Prosecutor,
High Court, Madras.

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