



Crl.O.P.No.3997 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

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

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.... Petitioner

Vs

1. The State rep by,
The Deputy Superintendent of Police,
Office of the DSP,
Salem District.

2. The Inspector of Police
Konganapuram Police Station,
Salem District.
(Crime No 38/2025)

3. Kavinraj

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the Court of the Special District and Sessions Judge Exclusively for Trial of SC/ST(POA) Act Cases at Salem to accept the surrender of the petitioner in Crime No. 38 of 2025 on the file of the second respondent police and consider the Bail Application on the same day.

For Petitioners : Mr.Thangavadhana Balakrishnan



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

This petition is filed for a direction to the Special District and Sessions Judge Exclusively for Trial of SC/ST(POA) Act Cases, Salem to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.38 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 Special District and Sessions Judge Exclusively for Trial of SC/ST(POA) Act Cases, Salem, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 38 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 petitioners shall surrender before the concerned jurisdictional Court within a period of fifteen days from the



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date of the receipt of a copy of this Order.

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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.

14.02.2025

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



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G.K.ILANTHIRAIYAN, J.

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To

1. The Special District and Sessions Judge
Exclusively for Trial of SC/ST(POA) Act Cases,
Salem.
2. The Deputy Superintendent of Police,
Office of the DSP,
Salem District.
3. The Inspector of Police
Konganapuram Police Station,
Salem District
4. The Public Prosecutor,
High Court, Madras.

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