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Crl.O.P.No.3765 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

CORAM:

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

Crl.O.P.No.3765 of 2025

Prakasam

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Perambalur,
Perambalur District.

2. The State By,
The Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.19 of 2025)

3. Kalaiselvi

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Principal District and Sessions Judge, (Special Court under SC and ST Atrocities Act) at Perambalur, Perambalur District to accept the surrender of the petitioners herein concerned in Cr.No.19 of 2025, on the file of Inspector of Police, Kunnam Police Station, Perambalur District and consider the bail petition on the same day.

For Petitioner : Mr.M.R.Elavarasan

For R1 and R2 : Mr.R.Vinothraja
Government Advocate (Crl.side)



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ORDER

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This petition is filed for a direction directing the learned Principal District and Sessions Judge, (Special Court under SC and ST Atrocities Act) at Perambalur, Perambalur District to accept the surrender of the petitioners herein concerned in Cr.No.19 of 2025, on the file of Inspector of Police, Kunnam Police Station, Perambalur District and consider the bail petition on the same day.

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 learned Principal District and Sessions Judge, (Special Court under SC and ST Atrocities Act) at Perambalur, Perambalur District, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.19 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.



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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 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.

13.02.2025

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



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Crl.O.P.No.3765 of 2025

G.K.ILANTHIRAIYAN, J.

mn

To

1. The Principal District and Sessions Judge, (Special Court under SC and ST Atrocities Act) at Perambalur, Perambalur District.
2. The Deputy Superintendent of Police,
Perambalur,
Perambalur District.
3. The Inspector of Police,
Kunnam Police Station,
Perambalur District.
4. The Public Prosecutor,
High Court, Madras.

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13.02.2025