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Crl.O.P.No.3808 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.3808 of 2025

S.Kavin Kumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Through The Assistant Commissioner /
Deputy Superintendent of Police,
Sivagiri Police Station,
Erode District.

2. The State of Tamil Nadu,
Through The Inspector of Police,
Sivagiri Police Station,
Erode District.
(Crime No. 07 of 2025)

3. Kaviarasan

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Special Court / Principal Sessions Court, Erode to consider the bail application of the petitioner on the same day.

For Petitioner : Mr.Deepanuday

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 Special Court / Principal Sessions Court, Erode to consider the bail application of the petitioner 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 Special Court / Principal Sessions Court, Erode, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.07 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.



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4. With the above direction, the Criminal Original Petition stands disposed of.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

mn

To

1. The Special Court / Principal Sessions Court, Erode.
2. The Assistant Commissioner /
Deputy Superintendent of Police,
Sivagiri Police Station,
Erode District.
3. The Inspector of Police,
Sivagiri Police Station,
Erode District.
4. The Public Prosecutor,
High Court, Madras.

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