



WEB COPY



Crl.O.P.No.3819 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.3819 of 2025

1. Chakkaravarthi @ Chakaravarthi
2. Kalpana

... Petitioners

Vs.

1. The Deputy Superintendent of Police (DSP),
Tiruvannamalai Town (Sub Division),
Tiruvannamalai District.

2. The State By
The Inspector of Police,
All Women Police Station,
Tiruvannamalai, Tiruvannamalai District.
Crime No.39 of 2024

3. Devika

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Session's Judge, Special Court for exclusive trial of cases registered under the SC/ST (POA) Act 1989, Thiruvannamalai to consider the bail petition on the same day of their surrender in Crime No.39 of 2024 on the file of the Inspector of Police, All Women Police Station, Tiruvannamalai, Tiruvannamalai District.



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

ORDER

This petition is filed for a direction directing the learned Session's Judge, Special Court for exclusive trial of cases registered under the SC/ST (POA) Act 1989, Thiruvannamalai to consider the bail petition on the same day of their surrender in Crime No.39 of 2024 on the file of the Inspector of Police, All Women Police Station, Thiruvannamalai, Thiruvannamalai District.

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 Session's Judge, Special Court for exclusive trial of cases registered under the SC/ST (POA) Act 1989, Thiruvannamalai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.39 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.



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The petitioners 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 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.

13.02.2025

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



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G.K.ILANTHIRAIYAN, J.

mn

To

1. The Session's Judge, Special Court for exclusive trial of cases registered under the SC/ST (POA) Act 1989, Tiruvannamalai.
2. The Deputy Superintendent of Police (DSP),
Tiruvannamalai Town (Sub Division),
Tiruvannamalai District.
3. The Inspector of Police,
All Women Police Station,
Tiruvannamalai, Tiruvannamalai District.
4. The Public Prosecutor,
High Court, Madras.

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