



CrI.O.P.No.4990 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM:

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

CrI.O.P.No. 4990 of 2025

1. Duruvasal

2. Papitha

.... Petitioners

Vs

1. The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.

2. State rep by,
The Inspector of Police,
Pernampet Police Station,
Pernampet, Vellore District.
Crime No.03 of 2025.

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the Sessions Judge, Special Court for Trial of cases under SC/ST (POA) Act, Vellore to consider the bail application on the same day on their surrender and file a bail application in Crime No.3 of 2025 on the file of the Inspector of Police, Pernampet Police Station, Pernampet, Vellore District.



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For Petitioners : Mr.G.Vinodhkumar

For Respondents : Mr.A.Gopinath
Government Advocate (CrI. Side)

ORDER

This petition is filed for a direction to the Sessions Judge, Special Court for Trial of cases under SC/ST (POA) Act, Vellore, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.03 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 person, there shall be a direction to the Sessions Judge, Special Court for Trial of cases under SC/ST (POA) Act, Vellore, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 03 of 2025 and pass appropriate orders in accordance with law, after



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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 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.

24.02.2025

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

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To

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

2. The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.

3. The Inspector of Police,
Pernampet Police Station,
Pernampet, Vellore District.

4. The Public Prosecutor,
High Court, Madras.

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