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Crl.O.P.No.3981 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

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

Crl.O.P.No. 3981 of 2025

Baranidharan

.... Petitioner

Vs

1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent,
Villupuram District.

2. State Rep.By,
The Inspector of Police,
Valathy Police Station,
Villupuram District.
Crime No.28 of 2025.

3. Jeeva

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Principal District and Sessions Court, Villupuram (Special Court for SC and ST Act) to consider his surrender and pass appropriate orders on the bail application filed by the petitioner on the same day in connection with Crime No.28 of 2025 on the file of the 2nd respondent Police.

For Petitioner : Mr.V.R.Appaswamee



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CrI.O.P.No.3981 of 2025

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

This petition is filed for a direction to the Principal District and Sessions Court, Villupuram (Special Court for SC and ST Act), to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.28 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 Principal District and Sessions Court, Villupuram (Special Court for SC and ST Act), to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 28 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



Crl.O.P.No.3981 of 2025

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.

14.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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CrI.O.P.No.3981 of 2025

G.K.ILANTHIRAIYAN, J.

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To

1. The Principal District and Sessions Court,
Villupuram (Special Court for SC and ST Act)

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent,
Villupuram District.

3. The Inspector of Police,
Valathy Police Station,
Villupuram District.
Crime No.28 of 2025.

4. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.3981 of 2025

14.02.2025