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Crl.O.P.No.3712 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3712 of 2025

T. RAMACHANDRAN, M/A.37 Years,
S/o. Thangavel,
No.40-2,
West Street,
Koveripatti,
Rasipuram, Namakkal District

... Petitioner/Accused 17

Vs.

State Rep. its

1. The Deputy Superintendent of Police,
Rasipuram, Namakkal District.

2. The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
(Crime No.332 of 2024).

... 1st and 2nd Respondent

3. Veerasamy,
S/o. Kathamuthu,
No.6/280, Periyur Valakaradu,
Chandhirasekarpuram Post,
Rasipuram, Namakkal District.

...3rd Respondent/defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS.,
pleased to direct the learned Special Court for Trial of cases under SC/ST



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(POA) Act cases, Namakkal District to consider the bail application filed by the Petitioner on his surrender in connection with Crime No. 332 of 2024 on the file of the 2nd respondent police on the same day.

For Petitioner : Mr.W.Camyles Gandhi
For R1 & R2 : Mr.K.M.D.Muhilan,
Government Advocate (Crl.Side)

ORDER

This petition is filed for a direction directing the Special Court for Trial of cases under SC/ST (POA) Act cases, Namakkal District, to accept the surrender of the petitioner herein concerned in Crime No.332/2024 on the file of the Inspector of Police, Rasipuram Police Station, Namakkal District and consider the bail petition on the same day 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 persons, there shall be a direction to the Learned Special Court for Trial of cases under SC/ST (POA) Act cases, Namakkal District, to consider the petitioner's bail application, preferably on



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the same day of their surrender in connection with Crime No.332/2024 and pass appropriate orders in accordance with law, after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. 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.

4. With the above direction, the Criminal Original Petition stands allowed.

12.02.2025

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



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G.K.ILANTHIRAIYAN, J.

bsm

To

1. The Special Court for Trial of cases under SC/ST (POA) Act cases,
Namakkal District

2. The Deputy Superintendent of Police,
Rasipuram, Namakkal District.

3. The Inspector of Police,
Rasipuram Police Station,
Namakkal District.

4. The Public Prosecutor, High Court, Madras.

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