



*CrI.O.P.No.4369 of 2025*

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2025

CORAM:

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

CrI.O.P.No. 4369 of 2025

Barath @ Bharath

.... Petitioner

Vs

1. State rep by,  
The Deputy Superintendent of Police,  
Cuddalore Range,  
Cuddalore District.

2. The Inspector of Police,  
Kammapuram Taluk Police Station,  
Cuddalore District.  
(Crime No.179 of 2024)

.... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code / Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Principal District and Sessions Judge (Special Court under SC/ST Atrocities Act) at Cuddalore to accept the surrender petition filed by the petitioner and on the same day consider the bail application in Crime No. 179 of 2024 pending on the file of the Inspector of Police, Kamapuram Police Station, Cuddalore District, the 2<sup>nd</sup> respondent herein.



WEB COPY



*Crl.O.P.No.4369 of 2025*

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondents: MrA.Gopinath  
Government Advocate (Crl. Side)

### **ORDER**

This petition is filed for a direction to the Principal District and Sessions Judge (Special Court under SC/ST Atrocities Act) at Cuddalore to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.179 of 2024, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. It is seen that already the petitioner approached this Court in Crl.O.P.No.32428 of 2024 seeking direction. This Court, by an order dated 27.12.2024, directed the petitioner to appear in-person before the Special Court within a period of two weeks. However, the petitioner failed to surrender before the Special Court, due to various reasons.

3. Considering the above facts and in view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes



*CrI.O.P.No.4369 of 2025*

WEB COPY

(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 Judge (Special Court under SC/ST Atrocities Act) at Cuddalore, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 179 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. 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.

4. 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.



*CrI.O.P.No.4369 of 2025*

WEB COPY

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

18.02.2025

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

To

1. The Principal District and Sessions Judge  
(Special Court under SC/ST Atrocities Act)  
Cuddalore.

2. The Deputy Superintendent of Police,  
Cuddalore Range,  
Cuddalore District.

3. The Inspector of Police,  
Kammapuram Taluk Police Station,  
Cuddalore District.

4. The Public Prosecutor,  
High Court, Madras.



WEB COPY



*CrI.O.P.No.4369 of 2025*

**G.K.ILANTHIRAIYAN, J.**

Lpp

CrI.O.P.No.4369 of 2025

18.02.2025