



WEB COPY



Crl.O.P.No.4047 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. 4047 of 2025

1. Kumaran
2. Senbagavalli Petitioners

Vs

1. The Deputy Superintendent of Police,
Deputy Superintendent Office,
Thirukovilur,
Kallakurichi District.

2. The Inspector of Police,
All Women Police Station,
Thirukovilur,
Kallakurichi District.
(Crime No.09/2025.)

3. Vaishnavi Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Special Judge, SC/ST (POA) and Principal District Session Judge at Kallakurichi to consider the petitioner bail application on the same day of their surrender in connection Crime No.09 of 2025 on the file of 2nd respondent.



WEB COPY



Crl.O.P.No.4047 of 2025

For Petitioners : Mr.V.Gunasekar
For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)

ORDER

This petition is filed for a direction to the Special Judge, SC/ST (POA) and Principal District Session Judge, Kallakurichi, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.09 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 persons, there shall be a direction to the Special Judge, SC/ST (POA) and Principal District Session Judge, Kallakurichi, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 09 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 petitioners shall surrender before the concerned jurisdictional



Crl.O.P.No.4047 of 2025

WEB COPY

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.

14.02.2025

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



WEB COPY



Crl.O.P.No.4047 of 2025

G.K.ILANTHIRAIYAN, J.

Lpp

To

1. The Special Judge, SC/ST (POA) and Principal District Session Judge
Kallakurichi.
2. The Deputy Superintendent of Police,
Deputy Superintendent Office,
Thirukovilur,
Kallakurichi District.
3. The Inspector of Police,
All Women Police Station,
Thirukovilur,
Kallakurichi District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.4047 of 2025

14.02.2025