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CrI.O.P.No.6444 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2025

CORAM:

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

CrI.O.P.No. 6444 of 2025

Saranya

.... Petitioner

Vs

1.The Deputy Superintendent of Police,
Bhavani, Erode District.

2. The Inspector of Police,
Bhavani Police Station,
Erode District.
Cr.No.13 of 2025.

3. Selvi

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to issue direction, directing the Special Court for trial of SC/ST Cases, Erode to accept the surrender and consider the petitioner's bail application sympathetically and pass orders on merits on the same day of her surrender in connection with Crime No.13 of 2025 dated 07.01.2025 pending on the file of the 2nd Respondent Police.

For Petitioner : Mr.E.C.Ramesh
For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (CrI. Side)



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ORDER

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This petition is filed for a direction to the Special Court for trial of SC/ST Cases, Erode, to consider the petitioner's bail petition on the same day of her surrender in connection with Crime No.13 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 Court for trial of SC/ST Cases, Erode, to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No. 13 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 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.

07.03.2025

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

To

1. The Special Court for trial of SC/ST Cases, Erode.

2. The Deputy Superintendent of Police,
Bhavani, Erode District.

3. The Inspector of Police,
Bhavani Police Station,
Erode District.

4. The Public Prosecutor,



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High Court, Madras.

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G.K.ILANTHIRAIYAN, J.

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