



WEB COPY



CrI.O.P.No.4717 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM:

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

CrI.O.P.No. 4717 of 2025

Siva @ Suresh

.... Petitioner

Vs

1. The Superintendent of Police.
O/o.Superintendent of Police,
Kallakurichi District.

2. The State rep by its
The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichi District.
In Crime No.43 of 2025.

3. Dena

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the learned Principal District and Sessions Court, Kallakurichi District, to consider the petitioner bail application on the same day of his surrender in Crime No.43 of 2025 dated 21.01.2025 on the file of the respondent police.

For Petitioner : Mr.R.Raji

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



CrI.O.P.No.4717 of 2025

ORDER

WEB COPY

This petition is filed for a direction to the Principal District and Sessions Judge, Kallakurichi District, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.43 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 Judge, Kallakurichi District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 43 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.



CrI.O.P.No.4717 of 2025

WEB COPY

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.

20.02.2025

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

To

1. The Principal District and Sessions Judge,
Kallakurichi District

2. The Superintendent of Police.
O/o. Superintendent of Police,
Kallakurichi District.

3. The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichi District.

4. The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.4717 of 2025

G.K.ILANTHIRAIYAN, J.

Lpp

CrI.O.P.No.4717 of 2025

20.02.2025