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CrI.O.P.No.5150 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2025

CORAM:

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

CrI.O.P.No. 5150 of 2025

1. Prakash
2. Iyyappan
3. Sanjay Kumar

..... Petitioners

Vs

1. Superintendent of Police,
Cuddalore District.
2. Station House Officer (SHO)
Chidambaram Town Police Station,
Cuddalore District.
Crime No.19 of 2025

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the Principal Judge, (Special Court under SC and ST Atrocities Act) at Cuddalore, Cuddalore District to accept the surrender of the petitioners herein concerned in Crime No.19 of 2025, on the file of Chidambaram Town Police Station, Cuddalore District and consider the bail petition on the same day itself



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For Petitioners : Mr.M.Ragul Kousik

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This petition is filed for a direction to the Principal Judge, (Special Court under SC and ST Atrocities Act), Cuddalore, Cuddalore District to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.19 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 Judge, (Special Court under SC and ST Atrocities Act), Cuddalore, Cuddalore District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 19 of 2025 and pass appropriate orders in



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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 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.

25.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.
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To

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

2. Superintendent of Police,
Cuddalore District.

3. Station House Officer (SHO)
Chidambaram Town Police Station,
Cuddalore District.

4. The Public Prosecutor,
High Court, Madras.

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