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CrI.O.P.No.5163 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. 5163 of 2025

Kishore Kumar @ Kishore

.... Petitioner

Vs

1. The Superintendent of Police,
Tiruvallur,
Tiruvallur District.

2. The State Rep. By
Sub Inspector of Police,
Pothatturpet Police Station,
Tiruvallur District.

3. Sivakumar

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the District and Sessions Court, Tiruvallur to consider the bail application proposed to be filed by the petitioner in Crime No.449 of 2024, pending on the file of Pothatturpet Police Station, on the same day, when the petitioners are surrender before the Court.



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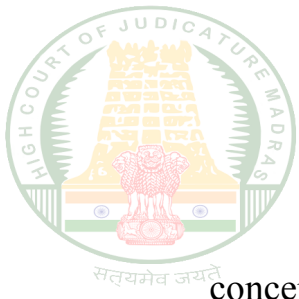
For Petitioners : Mr.B.Jawahar

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

ORDER

This petition is filed for a direction to the District and Sessions Court, Tiruvallur, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.449 of 2024, 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 District and Sessions Court, Tiruvallur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 449 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



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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 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.

25.02.2025

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



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G.K.ILANTHIRAIYAN, J.
Lpp

To

1. The District and Sessions Court,
Tiruvallur

2. The Superintendent of Police,
Tiruvallur,
Tiruvallur District.

3. The Sub Inspector of Police,
Pothatturpet Police Station,
Tiruvallur District.

4. The Public Prosecutor,
High Court, Madras.

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