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Crl.O.P.No.6740 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

CORAM:

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

Crl.O.P.No. 6740 of 2025

1.P.S.Radhakrishnan

2.Saravanan

.... Petitioners

Vs

1.The Assistant Commissioner of Police,
Semmancherry Range,
Chennai.

2.The Inspector of Police,
S-16, Perumbakkam Police Station, Chennai.

3.Manonidhi

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the Principal Sessions Judge, Chengalpattu to consider the petition for bail in Crime No.49 of 2025 on the file of the second respondent police on the same day on the petitioners' surrender.

For Petitioners : Mr.S.Jaganathan

For R1 & R2 : Mr.A.Gopinath
Government Advocate (Crl. Side)



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ORDER

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This petition is filed for a direction to the Principal Sessions Judge, Chengalpattu, to consider the petitioner's bail petition on the same day of their surrender in connection with Crime No.49 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 Principal Sessions Judge, Chengalpattu, to consider the petitioners' bail application, preferably on the same day of thier surrender in connection with Crime No.49 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 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 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 allowed.

10.03.2025

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

To

1. The Principal Sessions Judge, Chengalpattu
2. The Assistant Commissioner of Police,
Semmancherry Range,
Chennai.
3. The Inspector of Police,
S-16, Perumbakkam Police Station, Chennai.
4. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

shk

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