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Crl.O.P.No.6354 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM:

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

Crl.O.P.No.6354 of 2025

P.Nithishkumar

... Petitioner

Vs.

1. The Commissioner of Police,
Kallakurichi District,
Kallakurichi.

2. The State,
Rep. by the Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichic District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code to direct the Learned Special District Judge (SC & ST (PoA) Act Cases), Kallakurichi to consider the petitioner's bail Petition on the same day on his surrender before the Court in connection with the case in Crime No. 43 of 2025 on the file of the 2nd respondent police.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate (Crl. Side)



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ORDER

This petition is filed for a direction to the Special District Judge (SC & ST (PoA) Act Cases), Kallakurichi to consider the petitioner's bail Petition on the same day on his surrender before the Court in connection with the case in Crime No. 43 of 2025 on the file of the 2nd respondent police.

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 District Judge (SC & ST (PoA) Act Cases), Kallakurichi, to consider the petitioner's bail application, preferably on the same day of their 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.



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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.

06.03.2025

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

kv

To

1. The Commissioner of Police,
Kallakurichi District,
Kallakurichi.
2. The Inspector of Police,
Kachirayapalayam Police Station,
Kallakurichic District.
3. The Special District Judge (SC & ST (PoA) Act Cases),
Kallakurichi.
4. The Public Prosecutor,
High Court, Madras.

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