



CrI.O.P.No.6653 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

CORAM:

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

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S.M.P.Sekhar

.... Petitioner

Vs

1.State rep by
The Deputy Superintendent of Police,
Pollachi,
Coimbatore District.

2.State rep. by,
The Inspector of Police,
Pollachi Town East Police Station,
Pollachi,
Coimbatore District.
Crime No86 of 2025.

3.Rajendran

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, directing the Principal Sessions Judge, Coimbatore (Special Judge for SC/ST Act cases) to consider the petitioner's bail application to be filed on the same day on his surrender in Crime No.86 of 2025 pending investigation on the file of the second respondent.



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For Petitioner : Mr.M.N.Balakrishnan
For R1 & R2 : Mr.A.Gopinath
Government Advocate (CrI. Side)

ORDER

This petition is filed for a direction to the Principal Sessions Judge, Coimbatore (Special Judge for SC/ST Act cases), to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.86 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, Coimbatore (Special Judge for SC/ST Act cases), to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.86 of 2025 and pass appropriate orders in accordance with law, after



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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.

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 allowed.

10.03.2025

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



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G.K.ILANTHIRAIYAN, J.

shk

To

1. The Principal Sessions Judge, Coimbatore
(Special Judge for SC/ST Act cases)
2. The Deputy Superintendent of Police,
Pollachi,
Coimbatore District.
3. The Inspector of Police,
Pollachi Town East Police Station,
Pollachi,
Coimbatore District.
4. The Public Prosecutor, High Court, Madras.

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G.K.I.LANTHIRAIYAN,J.

Today the matter is listed under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. Heard both sides.

3. In view of the submissions made by the learned counsel for the petitioner, no further order is required. Accordingly, this petition is clarified.

17.03.2025

shk