



Crl.O.P.No.8254 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.03.2025**

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8254 of 2025

A. Thanikajalam

... Petitioner

Versus

1.The State rep.by,
The Inspector of Police,
Mettur Police Station,
Mettur Salem District.
(Crime No.112/2025)

2.Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Mettur, Salem District.

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Special Judge, SC/ST(PoA) Act Cases, Salem to entertain, to consider and dispose of Bail Application of the petitioner when he surrender before the Court in connection with Crime No.112 of 2025 dated 03.03.2025 pending on the file of the first respondent Police on the same day.

For Petitioner : Mr. R. Sreeranagan

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

ORDER



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This petition is filed for a direction to the learned Special Judge, SC/ST(PoA) Act Cases, Salem, to consider the petitioner's bail petition on the same day of their surrender in connection with Crime No.112 of 2025, since the offence is 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 learned Special Judge, SC/ST(PoA) Act Cases, Salem, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.112 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.

3. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous



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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.

20.03.2025

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

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G.K.ILANTHIRAIYAN, J.

klt

To

1. The Special Judge, SC/ST(PoA) Act Cases, Salem.
2. The Inspector of Police,
Mettur Police Station,
Mettur Salem District.
(Crime No.112/2025)
3. Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Mettur, Salem District.
4. The Public Prosecutor,
High Court, Madras.

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20.03.2025