



CrI.O.P.No.9135 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2025

CORAM:

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

CrI.O.P.No. 9135 of 2025

1. Rajasekar
2. Velusamy
3. Moorthi
4. Balu

..... Petitioners

Vs

1.The Deputy Superintendent of Police,
DSP Office, Kallakurichi,
Kallakurichi District.

2. The State rep by its
Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District
Crime No.114 of 2025

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Principal District Court/Special Judge for the SC/ST Act cases, Kallakurichi District to accept the surrender of the petitioner and consider the petitioner bail application on the same day in Crime No.114 of 2025 on the file of the respondent police.



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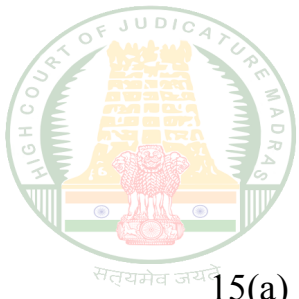
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For Petitioners : Mr.S.Sankar
For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This petition is filed for a direction to the Principal District Court/Special Judge for the SC/ST Act cases, Kallakurichi District, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.11 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 District Court/Special Judge for the SC/ST Act cases, Kallakurichi District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 114 of 2025 and pass appropriate orders in accordance with law, after affording due opportunity to the victim under Section



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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.

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 disposed of.

27.03.2025

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



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G.K.ILANTHIRAIYAN, J.

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To

1. The Principal District Court/Special Judge for the SC/ST Act cases,
Kallakurichi District

2.The Deputy Superintendent of Police,
DSP Office, Kallakurichi,
Kallakurichi District.

2. The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District

4. The Public Prosecutor,
High Court, Madras.

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