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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2025

CORAM:

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

Crl.O.P.No. 9690 of 2025

K.Prem Kumar

... Petitioner

Vs.

1.State represented by,
The Deputy Superintendent of Police,
Ulundurpettai Range,
Kallakurichi District.

2.The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
Crime No.111 of 2025.

3.R.Latha

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the District Sessions Court at Kallakurichi to consider the bail petition on the same day in Crime No.111 of 2025 on the file of the respondent police.

For Petitioner : Mr. M.Murugan

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



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ORDER

This petition is filed for a direction to the District Sessions Court, Kallakurichi to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.111 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 District Sessions Judge, Kallakurichi for prevention of SC/ST Atrocities, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 111 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



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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 disposed of.

02.04.2025

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

drl

To

- 1.The District Sessions Judge,
Kallakurichi.
- 2.The Deputy Superintendent of Police,
Ulundurpettai Range,
Kallakurichi District.
- 3.The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
- 4.The Public Prosecutor,
High Court, Madras.

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