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Crl. O.P. No. 10603 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 10603 of 2025

1.Boopathi
2.Subramaniyan
3.Gopinath

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Rasipuram Sub Division,
Namakkal District.

2.State by
The Inspector of Police,
Belukurichi Police Station,
Namakkal District.
(Crime No. 28 of 2025)

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Special Judge, Special Court for Exclusive Trial of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act Cases, Namakkal District to consider the bail petition on the same day of their surrender in Crime No. 28 of 2025 on the file of the respondent police pending investigation and thus render justice.



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For Petitioners : Mr. T. Dhasarathan

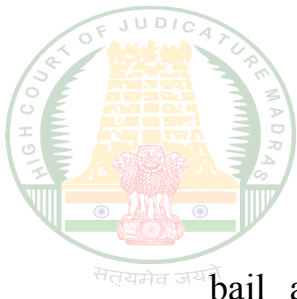
For Respondents

For R1 & R2 : Mr. R. Vinothraja,
Government Advocate (Crl. Side)

ORDER

This petition is filed for a direction to the learned Special Judge, Special Court for Exclusive Trial of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act Cases, Namakkal District, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No. 28 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 learned Special Judge, Special Court for Exclusive Trial of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act Cases, Namakkal District, to consider the petitioners'



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bail application, preferably on the same day of their surrender in connection with Crime No. 28 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 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 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.

07.04.2025

Index : Yes/No

Neutral citation : Yes/No

AT

Note :- Issue order copy on or before 09.04.2025



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G.K.ILANTHIRAIYAN, J.

AT

To

- 1.The Special Judge, Special Court for Exclusive Trial of the SC and ST (Prevention of Atrocities) Amendment Act Cases, Namakkal District.
- 2.The Deputy Superintendent of Police,
Rasipuram Sub Division,
Namakkal District.
- 3.The Inspector of Police,
Belukurichi Police Station,
Namakkal District.
- 4.The Public Prosecutor,
High Court, Madras.

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07.04.2025