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Crl.O.P.No.10909 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2025

CORAM:

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

Crl.O.P.No. 10909 of 2025

1.Suresh

2.Kutti @ Ragavendiran

.... Petitioners

Vs

1.State Rep. by
Deputy Superintendent of Police,
Tindivanam,
Villupuram

2.Inspector of Police,
Roshanai Police Station,
Villupuram District
(crime No.99 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 (Under SC/ST Act) Court, Villupuram to consider the bail application in crime No.99 of 2025 on the file of the second respondent on their surrender, before the Special Court, Villupuram, on the same day itself.

For Petitioners : Mr.A.N.Rajan

For Respondents



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

ORDER

This petition is filed for a direction to the learned Special Judge (Under SC/ST Act) Court, Villupuram to consider the bail application in crime No.99 of 2025 on the file of the second respondent on petitioner's surrender before the Special Court, Villupuram on the same day itself.

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 (Under SC/ST Act) Court, Villupuram to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.99 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.



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3. It is needless to say that the Court below while disposing the bail petitions 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 petitions on the same day does not amount to consider it favourably.

4. With the above direction, the Criminal Original Petition stands disposed of.

15.04.2025

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

G.K.ILANTHIRAIYAN, J.



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To

1. The learned Special Judge (Under SC/ST Act) Court,
Villupuram
2. Deputy Superintendent of Police,
Tindivanam,
Villupuram
3. Inspector of Police,
Roshanai Police Station,
Villupuram District
4. The Public Prosecutor,
High Court, Madras.

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