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Crl.O.P.No.11311 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11311 of 2025

Hari Shankar @ Harish Kumar

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Kallakuruichi District.

2. The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
Cr.No.350 of 2024

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.S.S. to direct the Principal District Judge, Kallakurichi to consider the petitioners' bail petition on the same day on their surrender before the Court in connection with the case in Crime No.350 of 2024 on the file of the respondent police.

For Petitioner : Mr.T.N.Rangesh Kanna

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



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ORDER

This petition is filed for a direction to the Principal District Judge, Kallakurichi to consider the petitioner's bail petition on the same day on his surrender before the Court in connection with the case in Crime No.350 of 2024 on the file of the respondent police.

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 the Principal District Judge, Kallakurichi, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.350 of 2024 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.



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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.

17.04.2025

Index:Yes/No
Neutral Citation/Yes/No
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To

1. The Deputy Superintendent of Police,
Kallakurichi District.
2. The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
3. The Principal District Judge,
Kallakurichi.
4. The Public Prosecutor,
High Court of Madras.

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G.K.ILANTHIRAIYAN, J.

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