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Crl.O.P.No.10789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2025

CORAM:

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

Crl.O.P.No.10789 of 2025

B.Gowthaman

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Rasipuram Sub Division,
Namakkal District
2.The Inspector of Police,
Belukurichi Police Station,
crime No.28 of 2025
Namakkal District
3.Vijay

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Special Court for SC & ST Act cases / Principal Sessions Court, Namakkal to consider the bail petition of the petitioner, on his surrender on the same day, on merits in connection with the case in crime No.28 of 2025 pending investigation on the file of the first respondent police.

For Petitioner : Mr.N.Manoharan

For Respondents

For R1 & 2 : Mr.A.Gopinath,
Government Advocate (Crl. Side)



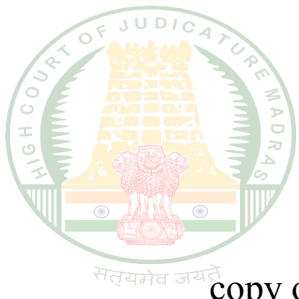
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ORDER

This petition is filed for a direction to the learned Special Court for SC & ST Act cases / Principal Sessions Court, Namakkal, to consider the petitioner's bail petition on the same day of his 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 Court for SC & ST Act cases / Principal Sessions Court, Namakkal, to consider the petitioner's bail application, preferably on the same day of his 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 petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a



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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.

08.04.2025

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

- 1.The learned Special Court for SC & ST Act cases / Principal Sessions Court, Namakkal
- 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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08.04.2025