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CrI.O.P.No.13320 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2025

CORAM:

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

CrI.O.P.No. 13320 of 2025

Jayaprakash

.... Petitioner

Vs

1.Deputy Superintendent of Police,
Katpadi,
Near Katpadi Taluk Office,
Vellore 632007

2.State Rep by it's
Inspector of Police,
All Women Police Station Katpadi,
Vellore District
(crime No.12 of 2024)

3.Sharmila

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Sessions Judge, Special Court for Exclusive Trial of cases register under SC/ST (POA) Act cases, Vellore District to consider the petitioner bail application on the same day in his surrender in crime No.12 of 2024 on the file of the respondent AWPS Katbadi Police.

For Petitioner : Mr.N.Chandran



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For Respondents

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

ORDER

This petition is filed for a direction to the learned Sessions Judge, Special Court for Exclusive Trial of cases register under SC/ST (POA) Act cases, Vellore District to consider the petitioner bail application on the same day in his surrender in crime No.12 of 2024 on the file of the respondent AWPS Katbadi 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 learned Sessions Judge, Special Court for Exclusive Trial of cases register under SC/ST (POA) Act cases, Vellore District to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.12 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



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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.

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.

29.04.2025

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

To

- 1.The learned Sessions Judge, Special Court for Exclusive Trial of cases register under SC/ST (POA) Act cases, Vellore District
- 2.Deputy Superintendent of Police,
Katpadi,
Near Katpadi Taluk Office,
Vellore 632007
- 3.Inspector of Police,
All Women Police Station Katpadi,
Vellore District
4. The Public Prosecutor,
High Court, Madras.

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