



Crl.O.P.No.10813 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2025

CORAM:

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

Crl.O.P.No.10813 of 2025

1.Balakannan
2.Maheshwari

... Petitioners

Vs.

1.The State rep by the
Assistant Commissioner of Police,
Tiruppur city,
Tiruppur
2.State rep. by
The Sub Inspector of Police,
Nallur Police Station,
Tiruppur
(crime No.133 of 2025)

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to issue direction to the learned Special Judge, Special Court for Exclusive Trial of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and Amendment Act Cases, Tiruppur District to consider the bail petition of the petitioners on the same day in the event of their surrender in crime No.133 of 2025 on the file of the respondents pending investigation.



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For Petitioners : Mr.N.S.Suganthan

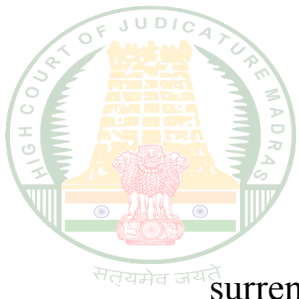
For Respondents

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

ORDER

This petition is filed for a direction to the learned Special Judge, Special Court for Exclusive Trial of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and Amendment Act Cases, Tiruppur District to consider the bail petitions of the petitioners on the same day in the event of their surrender in crime No.133 of 2025 on the file of the respondents pending investigation.

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 Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and Amendment Act Cases, Tiruppur District, to consider the petitioners' bail applications, preferably on the same day of their



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surrender in connection with Crime No.133 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 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.

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 Judge, Special Court for Exclusive Trial of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and Amendment Act Cases, Tiruppur District
- 2.The Assistant Commissioner of Police,
Tiruppur city,
Tiruppur
- 2.The Sub Inspector of Police,
Nallur Police Station,
Tiruppur
4. The Public Prosecutor,
High Court, Madras.

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