



Crl.O.P.No.11522 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.11522 of 2025

Eldho K K

... Petitioner

Vs

1. The Deputy Superintendent of Police,
District Crime Branch,
Nilgiris District.

2. State rep by:
The Inspector of Police,
District Crime Branch,
Nilgiris District.

... Respondents

Prayer: Criminal Original Petition filed under 528 of BNSS., 2023, to direct the District Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Udthagamandalam, to accept the surrender of the Petitioner in connection with Crime No.6 of 2019 on the file of the Respondents Police and to consider the Petitioner's bail application on the same day.

For Petitioner : Mr.M.Vijayamehanath

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



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ORDER

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This petition is filed for a direction to the District Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Udhagamandalam, to accept the surrender of the Petitioner in connection with Crime No.6 of 2019 on the file of the Respondents Police and to consider the Petitioner's bail application on the same day, 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 District Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Udhagamandalam, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.6 of 2019 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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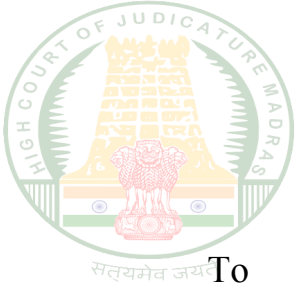
petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this Order.

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.

17.04.2025

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



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To

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1. The Deputy Superintendent of Police,
District Crime Branch,
Nilgiris District.
2. The Inspector of Police,
District Crime Branch,
Nilgiris District.
3. The District Judge,
Special Court for SC/ST (Prevention of Atrocities) Act,
Udhagamandalam.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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