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Crl.O.P.No.12877 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.12877 of 2025

1. Gowri
2. Lakshmi

... petitioners

Vs

State rep by,

1. The Deputy Superintendent of Police,
Gummidipoondi Range,
Thiruvallur District.
2. The Inspector of Police,
Sipcot Police Station,
Thiruvallur District.
(in crime No.498 of 2009)

3. Karthiyani

... Respondents

Criminal Original Petition is filed under Section 528 of BNSS., to direct the Principal District and Sessions Judge, Thiruvallur, Thiruvallur District (Special Judge for SC/ST Act cases) to consider the petitioners bail application on the same day of their surrender in connection with Crime No.498 of 2009 on the file of the Inspector of Police, Sipcot Police Station, Thiruvallur District.



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For petitioners : Mr.C.Arivazhagan

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

O R D E R

This petition is filed for a direction to the Principal District and Sessions Judge, Thiruvallur, Thiruvallur District (Special Judge for SC/ST Act cases) to consider the petitioners' bail application on the same day of their surrender in Crime No.498 of 2009 on the file of the second respondent Police, 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 Principal District and Sessions Judge, Thiruvallur, Thiruvallur District (Special Judge for SC/ST Act cases), to consider the petitioners' bail application, preferably on the same day of their surrender in connection with



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Crime No.498 of 2009 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 petition 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 petition on the same day does not amount to consider it favourably.

4. With the above direction, the Criminal Original Petition stands disposed of.

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Index:Yes/No
Neutral Citation/Yes/No
kv



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To

1. The Deputy Superintendent of Police,
Gummidipoondi Range,
Thiruvallur District.
2. The Inspector of Police,
Sipcot Police Station,
Thiruvallur District.
3. The Principal District and Sessions Judge, Thiruvallur,
Thiruvallur District (Special Judge for SC/ST Act cases).
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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