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Crl.O.P.No.13816 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13816 of 2025

Nandhakumar

... Petitioner

Vs

1. Deputy Superintendent of Police,
Namakkal,
Namakkal District.

2. State represent by The Inspector of Police,
AWPS-Rasipuram Police Station,
Namakkal District.
(Crime No.8 of 2025)

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.S.S., to direct the Principal District and Sessions Judge, Namakkal to consider the bail application of the petitioner on the same day of surrender in Crime No.8 of 2025 before the Court on the file of the second respondent Police.

For Petitioner : Mr.K.Prasath
For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)



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ORDER

This petition is filed for a direction to the learned Principal District and Sessions Judge, Namakkal, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.8 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 Principal District and Sessions Judge, Namakkal, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 8 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 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.

30.04.2025

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

To

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1. The Deputy Superintendent of Police,
Namakkal,
Namakkal District.
2. The Inspector of Police,
AWPS-Rasipuram Police Station,
Namakkal District.
3. The Principal District and Sessions Judge, Namakkal.
4. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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