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CrI.O.P.No.14965 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.05.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14965 of 2025

Prabhu

... Petitioner

Versus

1.The Deputy Superintendent of Police,
Sathyamangalam
Erode District.

2.The Inspector of Police,
Sathyamangalam Police Station,
Erode District.

3.Manoj
(Crime No. 209 of 2025)

... Respondents

Prayer:- Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned District and Sessions Judge, Erode (Special Court for the Exclusive Trial of SC and ST cases, Erode) to accept the surrender of the petitioner herein concerned in Crime No.209 of 2025 on the file of the respondent and consider his bail application on the same day itself.

For Petitioner : Mr.T.Balaji

For R1 & R2 : Mr.R.Vinotharaja
Government Advocate (Crl. Side)

ORDER



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This petition is filed for a direction to the learned District and Sessions Judge, Erode (Special Court for the Exclusive Trial of SC and ST cases, Erode), to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.209 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 District and Sessions Judge, Erode (Special Court for the Exclusive Trial of SC and ST cases, Erode), to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 209 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.

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



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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.

16.05.2025

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1.The Deputy Superintendent of Police,
Sathyamangalam
Erode District.

2.The Inspector of Police,
Sathyamangalam Police Station,
Erode District.

3.The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.



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