



CrI.O.P.No.16044 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.05.2025

CORAM

THE HON'BLE Mrs. JUSTICE K.GOVINDARAJAN THILAKAVADI

CRL OP No. 16044 of 2025

Kalimuthu

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Vs

... Petitioner

1.State rep.by

The Deputy Superintendent of Police,
Udumalpet Division, Udumalpet
Tiruppur district.

2.The Inspector of Police

Kaniyur police station,
Tiruppur district.

Crime No.47 of 2025

... Respondents

3.Rohini

Prayer:- Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Special Judge, Special Court for trial of cases under SC and ST (POA), Tiruppur to consider the bail application of the petitioner on his surrender before the court on the same day on merits in accordance with law in connection with Crime No.47 of 2025 on the file of 2nd respondent police.

For Petitioner : Mr.K.T.S.Sivakumar

For R1 & R2 : Mr.S.Santhosh
Public Prosecutor



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ORDER

This petition is filed for a direction to the learned Special Judge, Special Court for trial of cases under SC and ST (POA), Tiruppur, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.47 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 Special Judge, Special Court for Trial of cases under SC and ST (POA), Tiruppur , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.47 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



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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.

28.05.2025

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Note: Issue order copy on 29.05.2025

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To:

1.The Special Judge, Special Court for trial of cases under SC and ST (POA),
Tiruppur

2.The Deputy Superintendent of Police,

Udumalpet division, Udumalpet
Tiruppur district.

3.The Inspector of Police

Kaniyur police station,
Tiruppur district.

4.The Public Prosecutor,
High Court, Madras.

K.GOVINDARAJAN THILAKAVADI, J.

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