



Crl.O.P.No.16139 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. 16139 of 2025

Jayakandhan Ezhumalai

Vs

... Petitioner

1.The State Represented by its,
The Deputy Superintendent of Police,
Tiruvannamalai District.
2. State by
The Inspector of Police,
Kilkodungal Police Station,
Kilkodungal, Thiruvannamalai District.
(Crime No. 66 of 2025)

3. Varadhan

... Respondents

Prayer:- Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Principal Sessions cum District Judge (Special Court for Exclusive Trial under SC/ST Act) to accept the surrender of the petitioner and consider his bail petition in Crime No. 66 of 2025 pending on the file of the second respondent police on the same day.

For Petitioner : Mr.S.John Josh

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



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ORDER

This petition is filed for a direction to the learned Principal Sessions cum District Judge (Special Court for Exclusive Trial under SC/ST Act), Thiruvannamalai, to accept the surrender of the petitioner and consider his bail petition in Crime No. 66 of 2025 pending on the file of the second respondent police on the same day.

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 Sessions cum District Judge (Special Court for Exclusive Trial under SC/ST Act), Thiruvannamalai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 66 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.

28.05.2025

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

Note: Issue order copy tomorrow (29.05.2025)

To

1. The Principal Sessions cum District Judge (Special Court for Exclusive Trial under SC/ST Act), Thiruvannamalai

2.The Deputy Superintendent of Police,
Tiruvannamalai District.

3. The Inspector of Police,
Kilkodungal Police Station,
Kilkodungal, Thiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

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K.GOVINDARAJAN THILAKAVADI, J.

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