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Crl.M.P.No.13631 of 2025
in Crl.O.P.No.11631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.07.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.M.P.No.13631 of 2025

in

Crl.O.P.No.11631 of 2025

Harikrishnan, S/o Gunasekaran

Vs.

.. Petitioner

1. The State rep. by
The Deputy Superintendent of Police,
Gudiyatham,
Vellore District - 635 810.

2. The Inspector of Police,
Pernampet Police Station,
Vellore District - 625 810.
(Cr.No.87 of 2025)

.. Respondents

Criminal Miscellaneous Petition is filed under Section 528 of the BNSS, 2023 to extend the time for the petitioner to surrender before the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this order, pursuant to the order passed by this Court in Crl.O.P.No.11631 of 2025, dated 17.04.2025 on the file of this Court.

Page No.1/5



CrI.M.P.No.13631 of 2025
in CrI.O.P.No.11631 of 2025

WEB COPY

For petitioner : M/s.C.S.Saravanan

For respondents: Dr.C.E.Pratap, Govt. Advocate (CrI. Side)

ORDER

CrI.O.P.No.11631 of 2025 was filed to direct the Special Sessions Judge for Trial of Cases under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Vellore, to consider the bail application filed by the petitioner and the same may be considered on the same day in connection with Crime No.87 of 2025 on the file of the Inspector of Police, Pernampet Police Station, Vellore District.

2. The said CrI.O.P.No.11631 of 2025 was disposed of by this Court on 17.04.2025, and the relevant portion of the order reads as follows:

"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 Special Sessions Judge for Trial of Cases under the SC/ST

Page No.2/5



WEB COPY



Crl.M.P.No.13631 of 2025
in Crl.O.P.No.11631 of 2025

(POA) Act, Vellore, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.87 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 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."

3. Subsequently, the petitioner has filed the present miscellaneous petition to extend the time for the petitioner to surrender before the concerned jurisdictional Court within a period of fifteen days from the date of receipt of a copy of the order, pursuant to the order passed by this Court in Crl.O.P.No.11631 of 2025, dated 17.04.2025 on the file of this Court.

4. In view of the amended Sections 3, 5 and 15-A of the Scheduled

Page No.3/5



CrI.M.P.No.13631 of 2025
in CrI.O.P.No.11631 of 2025

WEB COPY

Castes and Scheduled Tribes (Prevention of Atrocities) Act, this Court is not inclined to grant the relief sought for in the present miscellaneous petition.

Hence, this petition is dismissed, with liberty to the petitioner/accused, to work out his remedy in the manner known to law, before the trial Court.

15.07.2025

CS

To

1. The Deputy Superintendent of Police,
Gudiyatham,
Vellore District - 635 810.
2. The Inspector of Police,
Pernampet Police Station,
Vellore District - 625 810.
(Cr.No.87 of 2025)
3. The Public Prosecutor, High Court, Madras.

Page No.4/5



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Crl.M.P.No.13631 of 2025
in Crl.O.P.No.11631 of 2025

P.VELMURUGAN, J

CS

Crl.M.P.No.13631 of 2025
in Crl.O.P.No.11631 of 2025

15.07.2025

Page No.5/5