



Crl.O.P.(MD)No.928 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.01.2025

CORAM

THE HONOURABLE MS.JUSTICE R.POORNIMA

Crl.O.P.(MD)No.928 of 2025

Velayi

.. Petitioner / Accused No.2

Vs.

1.The Deputy Superintendent of Police,
Keeranur Sub Division,
Pudukkottai District.

... 1st Respondent / Investigation Officer

2.State Rep. By Tamil Nadu
Inspector of Police,
Udayalipatti Police Station,
Pudukkottai District.
Crime No.2/2025

... 2nd Respondent / Complainant

3.Sulojjana

... 3rd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Special Sessions Court for trial of cases under SC/ST (POA) Act, Pudukkottai to consider the bail application of the petitioner / Accused No.2 in Cr.No.2 of 2025 on the file of the respondent police on the same day of surrender on merits.



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For Petitioner : Mr.K.G.Arunkumar

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
for R1 & R2

ORDER

This Criminal Original Petition has been filed to direct the Special Sessions Court for trial of cases under SC/ST (POA) Act, Pudukkottai to consider the bail application of the petitioner on the same day of his surrender before the Court in connection with Crime No.2 of 2025 on the file of the respondent police.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and perused the materials available on record.

3. 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Sessions Court for trial of cases under SC/ST (POA) Act, Pudukkottai to consider the petitioner's bail application, preferably on the



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same day of his surrender in connection with Crime No.2 of 2025 on the file of the second respondent police 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 two weeks, from the date of the receipt of a copy of this order.

4. 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 favorably.

5. With the above direction, this Criminal Original Petition stands disposed of.

17.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
rmi/pal



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To

- 1.The Special Sessions Court for trial of cases
under SC/ST (POA) Act, Pudukkottai.
- 2.The Deputy Superintendent of Police,
Keeranur Sub Division,
Pudukkottai District.
- 3.The Inspector of Police,
Udayalipatti Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.POORNIMA,J.

rmi/pal

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