



Crl.O.P.(MD)No.1470 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2025

CORAM

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD)No.1470 of 2025

Balasingh

: Petitioner

Vs.

1. The Deputy Superintendent of Police
Nanguneri
Tirunelveli District

2. The Inspector of Police
Thirukkurungudi Police Station
Tirunelveli District

3.Mathiyalagan

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to consider the bail application of the petitioner on merits in accordance with law on the same day in connection with Crime No.16 of 2025 on the file of the second respondent by the Special Court for Exclusive trial of Cases under SC/ST(PoA) Act at Tirunelveli within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.P.Ponraj

For Respondents : Mr.A.Thiruvadikumar
No.1 and 2 Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to consider the bail application of the petitioner on merits in accordance with law on the same day in connection with Crime No.16 of 2025 on the file of the second respondent by the Special Court for Exclusive trial of Cases under SC/ST(PoA) Act at Tirunelveli within a stipulated time that may be fixed by this Court.

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 Court for Exclusive trial of Cases under SC/ST(PoA) Act at Tirunelveli , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.16 of 2025 on the file of the second respondent police and pass appropriate orders, in



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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.

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 allowed.

27.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
aav

Note: Issue order copy on 28.01.2025



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To

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1. The Special Court for Exclusive trial of Cases under
SC/ST(PoA) Act at Tirunelveli
2. The Deputy Superintendent of Police
Nanguneri
Tirunelveli District
3. The Inspector of Police
Thirukkurungudi Police Station
Tirunelveli District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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