



Crl.O.P.(MD)No.2859 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.2859 of 2025

Nickson Albert @ Nicksom Albert

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by the Deputy Superintendent of Police,
Colachal,
Kanniyakumari District.

2. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No. 372/2024).

3. Ravi

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned (*) **Sessions Judge, The Special Court for SC/ST (POA) Act Cases, Kanyakumari at Nagercoil** to consider the bail petition to be filed by the petitioner, on his surrender on the same day, in connection with the case in Crime No.372 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Wins

For R-1 & R-2 : Mr.M.Sakthi Kumar

Government Advocate (Crl. side)



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ORDER

This Criminal Original Petition has been filed to direct the learned (*) Sessions Judge, The Special Court for SC/ST (POA) Act Cases, Kanyakumari at Nagercoil and to accept the surrender of the petitioner in Crime No.372 of 2024 dated 28.12.2024 on the file of the respondent police and to consider and pass orders on the bail application to be preferred by the petitioner on the same day itself.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal) 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 limited prayer and the facts and circumstances of the case, there shall be a direction to the (*) Sessions Judge, The Special Court for SC/ST (POA) Act Cases, Kanyakumari at Nagercoil to consider the petitioner bail application, preferably on the same day of his surrender in connection with Crime No.372 of 2024 on the file of the respondent police and pass appropriate orders, in accordance



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with law, after affording due opportunity to the victim under Section 15-A of the SC/ST (POA) Act, 1989. 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 on merits and in accordance with law.

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

Sd/-

17/02/2025

(*)Amended as per the order of this court dated 17.03.2025 made in CRL OP(MD).No.2859 of 2025.

Sd/-

Assistant Registrar(Writ)

// True Copy //

/03/2025

Sub Assistant Registrar()

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To be substituted to the order which is already despatched on 18.02.2025

<https://www.mhc.tn.gov.in/judis>



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- To
1. The II Additional District Judge (PCR)(FAC),
Tirunelveli
 2. Sessions Judge, The Special Court for SC/ST (POA) Act Cases,
Kanyakumari at Nagercoil
 3. The State of Tamil Nadu,
Represented by the Deputy Superintendent of Police,
Colachal,
Kanniyakumari District.
 4. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.T.WINS, Advocate (SR-10145[F] dated 18/02/2025)

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17.02.2025

VN (18/02/2025) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

VN (18/03/2025) 4P / 7C

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