



CrI.O.P(MD)No.7251 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CrI.O.P(MD)No.7251 of 2025

B.Boopathykumaran

... Petitioner

Vs

1. The State of Tamilnadu,
Rep by the Deputy Superintendent of Police,
Nilakottai Sub-Division, Dindigul District.

2. The State of Tamilnadu,
Rep by the Inspector of Police,
Virusvedu Police Station,
Dindigul District - 624 220.

3. M.Irulaya

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the learned Sessions Judge (Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, 1989, Dindigul, to consider the bail application on merits on the same day of his surrender in connection with Cr.No.51 of 2025.

For Petitioner : Mr. M.F.Shabana

For Respondents : Mr.M.Sakthi Kumar (R1,R2)

Government Advocate (CrI.Side)
Mr.R.L.Dilipan Pandiyan (R3)



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ORDER

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This Criminal Original Petition has been filed to direct the learned Sessions Judge (Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, 1989, Dindigul to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No. 51 of 2025 dated 11.04.2025 on the file of the second respondent police.

2.The learned counsel for the 3rd respondent would submit that the petitioner has 2 previous cases and strongly oppose to allow the petition.

3.Heard the learned counsel appearing for the petitioner, the learned Government Advocate (CrI.Side) appearing for the respondents police and perused the materials available on record.

4.Since this Court only direct the trial Court to consider the representation of the petitioner, it is for the 3rd respondent to approach the trial Court and make objections during the hearing of bail application.



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5. 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 learned **Sessions Judge (Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, 1989, Dindigul** to consider the petitioner bail application, preferably on the same day of his surrender in connection with Crime No.12 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 fifteen days, from the date of the receipt of a copy of this order.

6. 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.



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7. With the above direction, this Criminal Original Petition stands

disposed of.

22.04.2025

Internet :Yes

Index :Yes/No

NCC :Yes/No

Note:Issue order copy on 24.04.2025

PNM

To

1.The Sessions Judge (Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, 1989, Dindigul

2.The Deputy Superintendent of Police,
Nilakottai Sub-Division,
Dindigul District.

3. The Inspector of Police,
Virusvedu Police Station,
Dindigul District - 624 220.
(Fir in Cr.No.51/2025).

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.

PNM

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