Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 31759 of 2026

CNR: {HCMA012579292026}

1. S.Sakthi Divyadharshini
2. Sivasankaran Kannan

..Petitioners

Vs

1. The Commissioner of Police,
   Greater Chennai Police,
   Vepery, Chennai.

2. The State,
   Rep. by the Inspector of Police
   S-1, St.Thomas Mount Police Station,
   Chennai.

3. M.Karthik

..Respondents

Prayer: The Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to direct the Principal District and Sessions Judge, Chengalpattu to accept the surrender of the Petitioners and consider the Bail Petition of the Petitioners on the same day of its filing in Cr.No.327 of 2026 on the file of the 2nd Respondent Police herein.

For Petitioners : J.Ashok

For Respondents : Mr.R.Ganesh Kumar,
Additional Public Prosecutor for R1 & R2

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This Criminal Original Petition has been filed seeking a direction to the Principal District and Sessions Judge, Chengalpattu, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.327 of 2026, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. In view of the specific bar contained under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration of the possibility of misuse of the salutary and laudable object of the legislation against innocent persons, there shall be a direction to the Principal District and Sessions Judge, Chengalpattu, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 327 of 2026 and pass appropriate orders in accordance with law, after affording due opportunity of hearing to the victim as contemplated under Section 15A of the SC/ST Act. The petitioners 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

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petitioners 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.

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

30-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

LPP

To

1.Principal District and Sessions Judge,
Chengalpattu,

2.The Commissioner of Police,
Greater Chennai Police, Vepery,
Chennai.

3.The Inspector of Police
S-1, St.Thomas Mount Police Station,
Chennai.

4.The Public Prosecutor
High Court of Madras.

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G.K.ILANTHIRAIYAN, J.

LPP

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