Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

Case QR

CRL OP No. 32254 of 2026

CNR: {HCMA012620222026}

K.Subramaniam

..Petitioner

Vs

1. The Superintendent of Police
   Erode District.

2. The State
   Rep by Inspector of Police
   Gobichettipalayam Police Station,
   Erode District.

3. S.Shanthi

..Respondents

Prayer: The Criminal Original Petition filed under 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Principal District and Sessions Judge for SC/ST Cases, Erode to consider the bail petition of the Petitioner in the same day of his surrender in Crime.No.330 of 2026 on the file of the Inspector of Police, Gobichettipalayam Police Station.

For Petitioner : Mr. Hemanth Kumar

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the Principal District and Sessions Judge for SC/ST Cases, Erode to consider the

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petitioner bail petition on the same day of his surrender in connection with Crime No.330 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 for SC/ST Cases, Erode to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 330 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 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.

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 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 favourably.

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

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disposed of.

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

LPP

To

1.The Principal District and Sessions Judge for SC/ST Cases,
Erode.

2.The Superintendent of Police
Erode District.

3.The Inspector of Police
Gobichettipalayam Police Station,
Erode District.

4.The Public Prosecutor
High Court of Madras.

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G.K.ILANTHIRAIYAN, J.

LPP

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