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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 32557 of 2026

CNR: {HCMA012662512026}

Case QR

M.Mohan

..Petitioner

Vs

1. The State Rep. by;
   The Superintendent of Police
   Avinashi Sub Division,
   Tiruppur District.
   Crime No.792 of 2023.

2. The Inspector of Police
   Avinashi Police Station,
   Tiruppur District.
   Crime No.792 of 2023.

3. T.Sathiyamoorthi

..Respondents

Prayer: The Criminal Original Petition filed under 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur to consider the bail petition of the Petitioner on his surrender, on the same day on merits in connection with the case in Crime No.792 of 2023 on the file of the 1st Respondent Police.

For Petitioner : Mr. N.Manoharan

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

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ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.792 of 2023 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 learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 792 of 2023 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

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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 disposed of.

05-11-2026

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

LPP

To

1.The Sessions Judge,
Special Court for Trial of Cases under SC/ST (POA) Act,
Tiruppur.

2.The Superintendent of Police
Avinashi Sub Division,
Tiruppur District.

3.The Inspector of Police
Avinashi Police Station,
Tiruppur District.

4.The Public Prosecutor
High Court of Madras.

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G.K.ILANTHIRAIYAN, J.

LPP

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