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Crl.O.P. No.23415 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P No.23415 of 2022

Pradheesh Kumar

... Petitioner

Vs.

1. The State rep by its
The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur District, Perambalur.

2. The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.562/2022)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the the Principal District and Sessions Judge (Special Court for SC/ST Act), Perambalur to accept the surrender of the petitioner herein, connected in Crime No.562 of 2022 and consider the bail petition on the same day.

For Petitioner : Mr.E.Balamurugan



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For Respondents: Mr.S.Santhosh
Gov. Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the **Principal District and Sessions Judge (Special Court for SC/ST Act), Perambalur** , to consider the petitioner's bail application on the same day of his surrender in **Crime No. 562 of 2022** on the file of the **second** respondent police.

2. 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 possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the **learned Principal District and Sessions Judge (Special Court for SC/ST Act), Perambalur**, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. **562 of 2022** on the file of the **second** respondent and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under



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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.

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, this Criminal Original Petition is allowed.

28.09.2022

Internet: Yes./No

Index: Yes/no

mst

Note: Issue order copy on 29.09.2022



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1. The Principal District and Sessions Judge,
Special Court for SC/ST Act, Perambalur.
2. The State rep by its
The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur District, Perambalur.
2. The Inspector of Police,
Perambalur Police Station,
Perambalur District.
4. The Public Prosecutor,
Madras High Court, Chennai-104.



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V.SIVAGNANAM, J.

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