



Crl.O.P. No.23927 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P No.23927 of 2022

Karthi

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Mayiladuthurai,
Mayiladuthurai District.

2. State: Rep. by
The Inspector of Police,
Sembanarkoil Police Station,
Mayiladuthurai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Judge, Nagapattinam to consider the bail application of the petitioner on the same day of surrender in Crime No.286 of 2022 before the Court on the file of the respondent police.

For Petitioner : Mr.N.Chinnaraj

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

ORDER



Crl.O.P. No.23927 of 2022

This Criminal Original Petition has been filed for a direction to direct the **Principal District and Sessions Judge, Special Court, Nagapattinam**, to consider the petitioner's bail application on the same day of his surrender in **Crime No. 286 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, Nagapattinam**, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with **Crime No. 286 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 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



Crl.O.P. No.23927 of 2022

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.

30.09.2022

Internet: Yes./No

Index: Yes/no

mst

Note: Issue order copy on 30.09.2022

To

1. The Principal District and Sessions Judge,
Nagapattinam.
2. The Deputy Superintendent of Police,
Mayiladuthurai, Mayiladuthurai District.
3. The Inspector of Police,
Sembanarkoil Police Station,
Mayiladuthurai District.
4. The Public Prosecutor,
Madras High Court, Chennai-104.



WEB COPY



Crl.O.P. No.23927 of 2022

V.SIVAGNANAM, J.

mst

CRL.O.P No.23927 of 2022

30.09.2022