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Crl.O.P.No.24767 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.24767 of 2022

N.Suresh Kumar

...

Petitioner

/vs/

1.The State Rep by
The Deputy Superintendent of Police,
Tirupattur,
Tirupattur District.

2.The Inspector of Police,
Kandili Police Station,
Tirupattur District.

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District and Sessions Judge, Vellore, Vellore District to consider the petitioner's bail application on his surrender in Crime No.271 of 2022 pending on the file of the Inspector of Police, Kandili Police Station, Tirupattur District.

For Petitioner

...

Mr. E.Kannadasan

For Respondents

...

Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge, Vellore, Vellore District to consider the petitioner's bail application on his surrender in Crime No.271 of 2022 pending on the file of the Inspector of Police, Kandili Police Station, Tirupattur District.

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 of 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, Vellore, Vellore District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.271 of 2022 on the file of the second respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. 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.



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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. In view of the above, the Criminal Original Petition stands allowed.

13.10.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk

Note: Issue order copy on 13.10.2022



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V.SIVAGNANAM ,J.

shk

To

1. The learned Principal District and Sessions Judge,
Vellore, Vellore District
2. The Deputy Superintendent of Police,
Tirupattur,
Tirupattur District.
3. The Inspector of Police,
Kandili Police Station,
Tirupattur District.
4. The Public Prosecutor,
High Court, Madras.

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