



Crl.O.P.No.25295 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.25295 of 2022

A.Arasakumar

...

Petitioner

/vs/

1.The District Superintendent of Police,
Office of District Superintendent of Police,
Palacode, Dharmapuri District.

2.State by,
The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
Crime No.375 of 2022.

3.Murugesan

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Hon'ble Principal District Court, Dharmapuri to accept the surrender of the petitioner and consider the bail petition on the very same day in Crime No.375 of 2022 on the file of the respondent police.

For Petitioner

...

Mr.D.Ramesh Kumar

For Respondents

...

Mr.S.Santhosh for R1 & R2,
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the Principal District Court, Dharmapuri to accept the surrender of the petitioner and consider the bail petition on the very same day in Crime No.375 of 2022 on the file of the 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 of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Principal District Court, Dharmapuri, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.375 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.

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

19.10.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk

Note: Issue order copy on 19.10.2022

To

1. The Principal District Court, Dharmapuri
2. The District Superintendent of Police,
Office of District Superintendent of Police,
Palacode, Dharmapuri District.
3. The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
4. The Public Prosecutor,
High Court, Madras.

V.SIVAGNANAM, J.



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