



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.26998 of 2022

Sathish @ Sathish Kumar

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Petitioner

versus

1.The Deputy Superintendent of Police,
Gudiyatham, Vellore District.

2.State rep. by The Inspector of Police,
Guidiyatham Taluk Police Station,
Gudiyatham, Vellore District.
(Crime No.264 of 2022)

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Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Vellore to consider the bail application on the same day on the surrender of the petitioner and file a bail application in Crime No.264 of 2022 on the file of the Inspector of Police, Gudiyatham Taluk Police Station, Gudiyatham, Vellore District.

For Petitioner : Mr.G.Vinodh Kumar

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 Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Vellore, to consider the bail application filed by the petitioner on his surrender and in one and the same day in Crime No.264 of 2022 on the file of the second respondent police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3. 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 misuse of the stringent provision against innocent persons, there shall be a direction to the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Vellore, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.264 of 2022 on the file of the second respondent police 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 receipt of a copy of this order.

4. 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 appropriate orders in accordance with law.

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

07.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

Note : Issue Order Copy by Today i.e. on 09.11.2022

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Crl.O.P.No.26998 of 2022



R.N.MANJULA, J.

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To

- 1.The Sessions Judge,
Special Court for Trial of Cases under SC/ST (POA) Act,
Vellore.
- 2.The Deputy Superintendent of Police,
Gudiyatham, Vellore District.
- 3.State rep. by The Inspector of Police,
Guidyatham Taluk Police Station,
Gudiyatham, Vellore District.
4. The Public Prosecutor,
Madras High Court,
Chennai.

Crl.O.P.No.26998 of 2022

07.11.2022