



Crl.O.P.No.27777 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 14.11.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.27777 of 2022

N.Gopalsamy ... Petitioner
/vs/

1.State Rep.by the Deputy
Superintendent of Police,
Ambur Taluk, Thirupattur District.

2.State Rep.by the Inspector of Police,
Omerabad Police Station, Ambur Taluk,
Thirupattur District.

3.A.Jagan ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Sessions Judge, Special Court for Schedule Caste and Schedule Tribe Act, Vellore to consider the bail application of the petitioner on the same day of his surrender in FIR No.133 of 2021 on the file of the Inspector of Police, Omerabad Police Station, Ambur Taluk.

For Petitioner	...	Mr.S.Thamizharasi
For Respondent Nos.1 & 2	...	Mr.S.Santhosh Govt.Advocate (Crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the Sessions Judge, Special Court for Schedule Caste and Schedule Tribe Act, Vellore to consider the bail application of the petitioner on the same day of his surrender in FIR No.133 of 2021 on the file of the Inspector of Police, Omerabad Police Station, Ambur Taluk.

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 Sessions Judge, Special Court for Schedule Caste and Schedule Tribe Act, Vellore, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.133 of 2021 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



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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.

Index : Yes/No

14.11.2022

Internet : Yes/No

sms

Note: Issue order copy on 14.11.2022

To

1.State Rep.by the Deputy
Superintendent of Police,
Ambur Taluk, Thirupattur District.

2.State Rep.by the Inspector of Police,
Omerabad Police Station, Ambur Taluk,
Thirupattur District.

3.The Public Prosecutor,
High Court, Madras.

V.SIVAGNANAM,J.



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