



Crl.O.P.No.27324 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.27324 of 2022

Dhinesh @ A.Dinesh Babu

... Petitioner

vs.

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

2.The State represented by
The Inspector of Police,
Dusi Police Station,
Tiruvannamalai District.
(Crime No.73 of 2019)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the learned District & Sessions Judge, (Special Court under SC & St Atrocities Act) at Tiruvannamalai District to accept the surrender of the petitioner herein concerned in Crime No.73 of 2019 on the file of the Inspector of Police, Dusi Police Station, Tiruvannamalai District and consider the bail petition on the same day itself.

For Petitioner : Mr.M.Chinnadurai
For Respondents : Mr.S.Santhosh,
Govt. Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to direct the learned District & Sessions Judge, (Special Court under SC & St Atrocities Act) at Tiruvannamalai District to accept the surrender of the petitioner herein concerned in Crime No.73 of 2019 on the file of the Inspector of Police, Dusi Police Station, Tiruvannamalai District and consider the bail petition on the same day itself.

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 misuse of the stringent provision against innocent persons, there shall be a direction to the learned District & Sessions Judge, (Special Court under SC & St Atrocities Act) at Tiruvannamalai District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.73 of 2019 on the file of the 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



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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, this Criminal Original Petition stands allowed.

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Index: Yes/No
Internet: Yes/No
gsk



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R.N.MANJULA ,J.

gsk

To

- 1.The Deputy Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.
- 2.The Inspector of Police,
Dusi Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court, Madras.

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