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Crl.O.P.No.27359 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.27359 of 2022

K.Ramanathan

... Petitioner

vs.

1.The Deputy Superintendent of Police,  
Mangalamedu Taluk,  
Perambalur District.

2.The State represented by  
The Inspector of Police,  
Mangalamedu Police Station,  
Perambalur District.  
(Crime No.411 of 2022)

... Respondents

**Prayer :** Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the learned Principal District and Sessions Judge, for SC/ST Act cases, Perambalur to consider the bail application to be filed by the petitioner on his surrender on the same day in connection with Crime No.411 of 2022 on the file of the 2<sup>nd</sup> respondent police on the same day.

For Petitioner : Ms.S.K.Inthu  
For Respondents : Mr.S.Santhosh,  
Govt. Advocate (Crl.Side)



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**ORDER**

This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, for SC/ST Act cases, Perambalur to consider the bail application to be filed by the petitioner on his surrender on the same day in connection with Crime No.411 of 2022 on the file of the 2<sup>nd</sup> respondent police on the same day.

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 Principal District and Sessions Judge, for SC/ST Act cases, Perambalur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.411 of 2022 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 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.

**09.11.2022**

Index: Yes/No  
Internet: Yes/No  
gsk

NOTE : Issue order copy on 10.11.2022.



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**R.N.MANJULA ,J.**

gsk

To

- 1.The Deputy Superintendent of Police,  
Mangalamedu Taluk,  
Perambalur District.
2. The Inspector of Police,  
Mangalamedu Police Station,  
Perambalur District.
- 3.The Public Prosecutor,  
High Court, Madras.

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