



Crl.O.P.No.29789 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.29789 of 2022

Nandhagopal

...Petitioner

vs.

1. The Deputy Superintendent of Police
Ulundurpet Taluk
Kallakurichi District.

2. The State rep. by its
The Inspector of Police,
Thirunavalur Police Station
Kallakurichi District.

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to direct the learned Sessions Judge, Special Court for Exclusive trial of cases registered under SC/ST (POA) Act Cases, Villupuram District to consider the petitioner's bail application on the same day of his surrender in Crime No.199 of 2022 dated 02.05.2022 on the file of the respondent police.

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For Petitioner : Mr.S.Saravanakumar

For Respondents : Mr.S.Santhosh for R1 & R2
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Sessions Judge, Special Court for Exclusive trial of cases registered under SC/ST (POA) Act Cases, Villupuram District, to consider the bail application filed by the petitioner on his surrender on one and the same day in Crime No.199 of 2022 on the file of the 2nd 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 misuse of the stringent provision against innocent persons, there shall be a direction to the learned Sessions Judge, Special Court for Exclusive trial of cases registered under SC/ST (POA) Act Cases, Villupuram District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.199 of 2022 on the file of the 2nd respondent and pass appropriate orders in accordance with law, after affording due opportunity to



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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 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.

02.12.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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Note: Issue order copy on 02.12.2022

R.N.MANJULA ,J.

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To
WEB COPY

1. The learned Sessions Judge, Special Court for Exclusive trial of cases registered under SC/ST (POA) Act Cases, Villupuram District
2. The Deputy Superintendent of Police
Ulundurpet Taluk
Kallakurichi District.
3. The State rep. by its
The Inspector of Police,
Thirunavalur Police Station
Kallakurichi District.
4. The Public Prosecutor,
High Court, Madras.

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