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CrI.O.P.No.29669 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.29669 of 2022

Arun @ Arunkumar

...

Petitioner

/vs/

1.State rep. By
The Deputy Superintendent of Police,
Jayankondam,
Ariyalur District.

2.The Inspector of Police,
Vikkiramangalam Police Station,
Ariyalur District.
(Crime No.242 of 2022)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Principal District Sessions Judge cum Special Judge for SC/ST Act Cases, Ariyalur to consider the bail application filed by the petitioner in connection with Crime No.242 of 2022 on the file of Inspector of Police, Vikkiramangalam Police Station, Ariyalur District on the same day his surrender.

For Petitioner

... Ms.A.M.Amutha Ganesh



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Crl.O.P.No.29669 of 2022

For Respondents

... Mr.E.Raj Thilak,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed seeking for a direction to the Principal District Sessions Judge cum Special Judge for SC/ST Act Cases, Ariyalur to consider the bail application filed by the petitioner in connection with Crime No.242 of 2022 on the file of Inspector of Police, Vikkiramangalam Police Station, Ariyalur District on the same day his surrender.

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 Principal District Sessions Judge cum Special Judge for SC/ST Act Cases, Ariyalur to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.242 of 2022 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



Crl.O.P.No.29669 of 2022

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, the Criminal Original Petition stands allowed.

12.12.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk



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CrI.O.P.No.29669 of 2022

G.CHANDRASEKHARAN, J.

shk

To

1. The Principal District Sessions Judge cum
Special Judge for SC/ST Act Cases, Ariyalur
2. The Deputy Superintendent of Police,
Jayankondam,
Ariyalur District.
3. The Inspector of Police,
Vikkiramangalam Police Station,
Ariyalur District.
4. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.29669 of 2022

12.12.2022