



Crl.O.P.No.31356 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

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**DATED : 19.12.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN**

**Crl.O.P.No.31356 of 2022**

Dhandapani

... Petitioner

/vs/

1. The State represented by,  
The Deputy Superintendent of Police,  
Ulundurpet,  
Kallakurichi District.

2. The Inspector of Police,  
Thirunavalur Police Station,  
Kallakurichi District.  
Crime No.479 of 2022

... Respondents

**Prayer :** Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Special Court for SC & ST (POA) Act, Principal Sessions Judge, Villupuram to consider the bail application of the petitioner concerned in Crime No.479 of 2022 on the file of the Inspector of Police, Thirunavalur Police Station, Kallakurichi District on his surrender on the same day.

For Petitioner

... Mr.S.Nedunchezhiyan

For Respondents

... Mr.S.Santhosh  
Government Advocate (crl.side)



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**ORDER**

This Criminal Original Petition has been filed seeking for a direction to the Special Court for SC & ST (POA) Act, Principal Sessions Judge, Villupuram to consider the bail application of the petitioner in Crime No.479 of 2022 on the file of the Inspector of Police, Thirunavalur Police Station, Kallakurichi District on his surrender 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 misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Special Court for SC & ST (POA) Act, Principal Sessions Judge, Villupuram, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.479 of 2022 on the file of the 2nd 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 petitioners 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, the Criminal Original Petition stands allowed.

**19.12.2022**

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

Sma



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**G.CHANDRASEKHARAN, J.**

Sma

To

1. The Special Court for SC & ST (POA) Act,  
Principal Sessions Judge, Villupuram
2. The Deputy Superintendent of Police,  
Ulundupet,  
Kallakurichi District.
3. The Inspector of Police,  
Thirunavalur Police Station,  
Kallakurichi District.
4. The Public Prosecutor,  
High Court, Madras.

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**19.12.2022**