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Crl.O.P.No.31453 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31453 of 2022

Saravanan

...

Petitioner

/vs/

1.The Deputy Superintendent of Police,
Namakkal,
Puduchattiram Police Station,
Namakkal District.

2.The Inspector of Police,
Puduchattiram Police Station,
Namakkal District.
Crime No.195 of 2019.

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Special Court for Trial of Cases under SC ST (POA) Act, Namakkal to consider the bail application of the petitioner on his surrender before the Court on the same day on merits in accordance with law in connection with Spl.S.C.No.02 of 2022 on the file of the learned Special Court for Trial of Cases under SC ST (POA) Act, Namakkal.

For Petitioner

... Mr.C.S.Loganathan

For Respondents

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



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ORDER

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This Criminal Original Petition has been filed seeking for a direction to the learned Special Court for Trial of Cases under SC ST (POA) Act, Namakkal to consider the bail application of the petitioner on his surrender before the Court on the same day on merits in accordance with law in connection with Spl.S.C.No.02 of 2022 on the file of the learned Special Court for Trial of Cases under SC ST (POA) Act, Namakkal.

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 Trial of Cases under SC ST (POA) Act, Namakkal to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Spl.S.C.No.02 of 2022 on the file of the learned Special Court for Trial of Cases under SC ST (POA) Act, Namakkal 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



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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 disposed of.

20.12.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk



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G.CHANDRASEKHARAN, J.

shk

To

1. The learned Special Court for Trial of Cases
under SC ST (POA) Act, Namakkal
- 2.The Deputy Superintendent of Police,
Namakkal,
Puduchattiram Police Station,
Namakkal District.
- 2.The Inspector of Police,
Puduchattiram Police Station,
Namakkal District.
- 4.The Public Prosecutor,
High Court, Madras.

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20.12.2022