



WEB COPY



Crl.O.P.No.31698 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31698 of 2022

K.Thirumoorthy

... Petitioner

-VS-

The State represented by its Inspector of Police,
Palladam Police Station, Palladam Taluk,
Tirupur District.

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District and Sessions Judge/ Special Courts for SC/ST cases, Tiruppur to consider the bail application of the petitioner herein on the very same of his surrender pertaining to the Crime No.1362 of 2022 on the file of the respondent by appreciating the above stated facts and circumstances.

For Petitioner

... Mr.L.M.Siddhartha Ramarajan

For Respondent

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge/ Special Courts for SC/ST cases, Tiruppur to consider the bail application of the petitioner in



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Crime No. 1362 of 2022 on the file of the Inspector of Police, Palladam Police Station, Palladam Taluk, Tirupur 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 Principal District and Sessions Judge/ Special Courts for SC/ST cases, Tiruppur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 1362 of 2022 on the file of the 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 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



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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.

22.12.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

gd

To

1. The Principal District and Sessions Judge/ Special Courts for SC/ST cases, Tiruppur.
2. The Inspector of Police,
Palladam Police Station, Palladam Taluk,
Tirupur District.
3. The Public Prosecutor,
High Court, Madras.

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