



Crl.O.P.(MD) No.13087 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13087 of 2022

Kannan

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Thanjavur Town,
Thanjavur.

2.The Inspector of Police,
Town East Police Station,
Thanjavur District.

3.Kishore Varma

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned I Additional District Sessions Judge and (Special Court for Scheduled Castes and Scheduled Tribes) POA Act, Thanjavur, to accept the surrender of the petitioner and consider his bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.869 of 2022, registered on 07.07.2022 on the file of the second respondent Police.

For Petitioner : Mr.N.Balasubramanian
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed for a direction, to direct the learned I Additional District Sessions Judge and (Special Court for Scheduled Castes and Scheduled Tribes) POA Act, Thanjavur, to accept the surrender of the petitioner and consider his bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.869 of 2022, registered on 07.07.2022 on the file of the second 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned I Additional District Sessions Judge and (Special Court for Scheduled Castes and Scheduled Tribes) POA Act, Thanjavur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.869 of 2022 on the file of the second



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respondent and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. 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. With the above direction, this Criminal Original Petition is allowed.

20.07.2022

Internet: Yes./No
Index: Yes/no
PNM

Note: Issue order copy on 21.07.2022

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To

- 1.The learned I Additional District Sessions Judge
and (Special Court for
Scheduled Castes and Scheduled Tribes) POA Act,
Thanjavur.
- 2.The Deputy Superintendent of Police,
Thanjavur Town,
Thanjavur.
- 3.The Inspector of Police,
Town East Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

vsg

ORDER IN
CRL.O.P (MD) No.13087 of 2022

20.07.2022