



Crl.O.P.No.1064 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1064 of 2023

1. Siranjeevi
2. Raja

... Petitioners

/vs/

1. The Deputy Superintendent of Police,
Deputy Superintendent Office,
Thirukovilur & Taluk,
Kallakurichi District.

2. The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Sessions Court Salem, The District Sessions Judge Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept surrender of the petitioner in Crime No.23 of 2022 (on the file of the Inspector of Police, Sankarapuram Police Station, Kallakurichi District) and consequently consider the petitioner bail application on the same day.



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For Petitioners	...	Mr.V.Gunasekar
For Respondents	...	Mr.S.Santhosh Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to The District Sessions Judge Villupuram, Special Judge for Prevention of SC/ST Atrocities to accept surrender of the petitioner in Crime No.23 of 2022 (on the file of the Inspector of Police, Sankarapuram Police Station, Kallakurichi District) and consequently consider the petitioner bail application 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 The District Sessions Judge Villupuram, Special Judge for Prevention of SC/ST Atrocities to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.23 of 2022 on the file of the second respondent and pass appropriate orders in accordance



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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 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.

19.01.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

Sma



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G.CHANDRASEKHARAN, J.

Sma

To

1. The Deputy Superintendent of Police,
Deputy Superintendent Office,
Thirukovilur & Taluk,
Kallakurichi District.
2. The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

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