



CrI.O.P.No.2260 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.2260 of 2023

R.Loganathan

...Petitioner

Vs.

1.The Sub-Inspector of Police,
Kanjapur Police Station,
Villupuram District.
Crime No.278/2022.

2.The Deputy Superintendent of Police,
Villupuram
Villupuram District.
Crime No.278/2022.

...

Respondents

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the District and Sessions Judge, [Special Judge for SC & ST (Prevention of Atrocities) Act], Villupuram to consider and dispose of the bail application of the petitioner on merits in connection with the case in Crime No.278/2022 on the file of the respondent herein on the same date of his surrender.

For Petitioner

... Mr.C.Munusamy

For Respondents

... Mr.S.Santhosh



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Government Advocate (crl.side)

ORDER

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This Criminal Original Petition has been filed seeking to direct the District and Sessions Judge, [Special Judge for SC & ST (Prevention of Atrocities) Act], Villupuram to consider and dispose of the bail application of the petitioner on merits in connection with the case in Crime No.278/2022 on the file of the respondent herein on the same date of his surrender.

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 [Special Judge for SC & ST (Prevention of Atrocities) Act], Villupuram to consider the petitioners' bail application, preferably on the same day of surrender in connection with Crime No.278 of 2022 registered for the offence under Section 294 (b), 323, 324 of IPC on the file of the second respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victim under Section 15-A of the SC/ST



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(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.

02.02.2023

Index: Yes/No
Speaking/Non speaking order
Neutral Citation Case: Yes/No



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G.CHANDRASEKHARAN, J.

nst/sma

To,

- 1.The Sub-Inspector of Police,
Kanjapur Police Station,
Villupuram District.
- 2.The Deputy Superintendent of Police,
Villupuram
Villupuram District.
- 3.The Public Prosecutor,
High Court, Madras.

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