



Crl.O.P.No.1856 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1856 of 2023

Kumar

...

Petitioner

/vs/

1.The State represented by
The Assistant Superintendent of Police,
Virudhchalam,
Cuddalore District.

2.The Inspector of Police,
Karuveppilankurichi Police Station,
Cuddalore District.
(Crime No.6 of 2023)

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Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore to consider the bail application filed by the petitioner in connection with Crime No.06 of 2023 on the file of Inspector of Police, Karuveppilankurichi Police Station, Cuddalore District on the same day their surrender.

For Petitioner : Mr.M.Selvan

For Respondents : Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore to consider the bail application filed by the petitioner in connection with Crime No.06 of 2023 registered for the offences under Section 147, 148, 341, 294(b), 323, 324 and 506(2) of IPC and 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989, on the file of Inspector of Police, Karuveppilankurichi Police Station, Cuddalore District on the same day their 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 of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Principal District Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.06 of 2023 on the file of the second respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims



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under Section 15-A of the SC/ST (POA) Act, 1989. The petitioners 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 petitioners 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.

10.02.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order

gd



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G.CHANDRASEKHARAN, J.

gd/skt

To

1. The Principal District Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore
2. The Assistant Superintendent of Police,
Virudhchalam,
Cuddalore District.
3. The Inspector of Police,
Karuveppilankurichi Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

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