



Crl.O.P.No.2055 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 01.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.2055 of 2023

Chinnaiya

...

Petitioner

/vs/

1.The State represented by its
The Deputy Superintendent of Police,
Gingee, Sub Division,
Villupuram District.

2.The State represented by its
The Inspector of Police,
D-8, Anandapuram Police Station,
Villupuram.
(Crime No.8 of 2023)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Principal special Court for trial of SC/ST Act cases, Villupuram to accept the surrender and to consider the bail application filed by this petitioner in Crime No.8 of 2023 on the file of the 2nd respondent.

For Petitioner

... Mr.D.Manoj Kumar

For Respondents

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

ORDER



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WEB COPY This Criminal Original Petition has been filed seeking for a direction to the learned Principal special Court for trial of SC/ST Act cases, Villupuram to accept the surrender and to consider the bail application filed by this petitioner in Crime No.8 of 2023 on the file of the 2nd respondent.

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 cum Special Judge for SC/ST cases, Villupuram, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.8 of 2023 on the file of the second 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 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



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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.

01.02.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

gd



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G.CHANDRASEKHARAN, J.

gd

To

1. he Principal special Court for trial of SC/ST Act cases, Villupuram.

1.The Deputy Superintendent of Police,
Gingee, Sub Division,
Villupuram District.

2.The Inspector of Police,
D-8, Anandapuram Police Station,
Villupuram.

4.The Public Prosecutor,
High Court, Madras.

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