



CrI.O.P.No.2474 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **07.02.2023**

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.2474 of 2023

Boobalan @ Poobalan

... Petitioner

VS.

1. The Deputy Superintendent of Police,
Ariyalur,
Ariyalur District.

2. The State represented by,
The Inspector of Police,
T.Palur Police Station,
Ariyalur District.
(Crime No.286 of 2022)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., pleaded to direct the learned Principal District & Sessions Judge, (Special Court under SC and ST Atrocities Act at Ariyalur, Ariyalur District to accept the surrender of the petitioner herein concerned in Spl.S.C.No.1 of 2023 pending on the file of the Principal District & Sessions Judge, Ariyalur and consider the bail petition on the same day itself.

For Petitioner : Mr.K.Balu



WEB COPY



Crl.O.P.No.2474 of 2023

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District & Sessions Judge, (Special Court under SC and ST Atrocities Act), Ariyalur to accept the surrender of the petitioner in connection with Spl.S.C.No.1 of 2023 pending on the file of the Principal District & Sessions Judge, Ariyalur and to consider the petitioner's 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 learned Principal District & Sessions Judge, (Special Court under SC and ST Atrocities Act), Ariyalur to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime Spl.S.C.No.1 of 2023 pending on the file of the Principal District & Sessions Judge, Ariyalur and pass appropriate orders in accordance with



CrI.O.P.No.2474 of 2023

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.

07.02.2023

ham

Index: Yes/No

Speaking/Non speaking order

Neutral Citation Case: Yes/No



WEB COPY



Crl.O.P.No.2474 of 2023

G.CHANDRASEKHARAN, J.

ham

To

1. The Principal District & Sessions Judge,
Special Court under SC and ST Atrocities Act,
Ariyalur .
2. The Deputy Superintendent of Police,
Ariyalur,
Ariyalur District.
3. The Inspector of Police,
T.Palur Police Station,
Ariyalur District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.2474 of 2023

07.02.2023