



CrI.O.P.No.4211 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 27.02.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN**

**CrI.O.P.No.4211 of 2023**

Prithiviraj

...

Petitioner

/vs/

1.The State rep. by,  
Inspector of Police,  
Manalmedu Police Station,  
Mayiladuthurai Dt.  
(Crime No.26/2023)

2.The Deputy Superintendent of Police,  
O/o Deputy Superintendent of Police,  
Mayiladuthurai,  
Mayiladuthurai District.

...

Respondents

**Prayer :** Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned District Sessions Judge, Special Court for SC/ST Act, Nagapattinam to accept the surrender of the petitioners herein and consider the Bail petition concerned in Crime No.26 of 2023 on the file of the Inspector of Police, Manalmedu Police Station, Mayiladuthurai District on the same day itself.

For Petitioner

...

Mr.C.T.Saravanan

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 District Sessions Judge, Special Court for SC/ST Act, Nagapattinam to consider the bail application filed by the petitioner on his surrender in connection with Crime No.26 of 2023 on the file of the first respondent police 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 District Sessions Judge, Special Court for SC/ST Act, Nagapattinam, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.26 of 2023 on the file of the first 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 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.



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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.

**27.02.2023**

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

mpl



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**G.CHANDRASEKHARAN, J.**

mpl

To

1. The learned District Sessions Judge,  
Special Court for SC/ST Act, Nagapattinam.
2. The Inspector of Police,  
Manalmedu Police Station,  
Mayiladuthurai Dt.
3. The Deputy Superintendent of Police,  
O/o Deputy Superintendent of Police,  
Mayiladuthurai,  
Mayiladuthurai District.
4. The Public Prosecutor,  
High Court, Madras.

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**27.02.2023**