



Crl.O.P.No.4345 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.4345 of 2023

Rajarajan (Raja)

...

Petitioner

/vs/

1.The State of Tamil Nadu,
Represented by the Deputy Superintendent of Police,
Perambalur District.

2.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.93/2023)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Session Judge, Special Court for Exclusive Trial of SC & ST cases, Perambalur to consider the application filed by the petitioner for grant of bail in the event of his surrender before the trial court and enlarge him on bail on the same day in Crime No.93 of 2023 on the file of the respondent police for the offence under Sections 294(b), 506(i) and 435 of IPC r/w Section 3(1)(r), 3(1)(s), 3(2)(iii) & 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989.



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For Petitioner	...	Mr.G.Ilamurugu
For Respondents	...	Mr.S.Santhosh
		Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Session Judge, Special Court for Exclusive Trial of SC & ST cases, Perambalur to consider the bail application filed by the petitioner on his surrender in connection with Crime No.93 of 2023 on the file of the second 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 Session Judge, Special Court for Exclusive Trial of SC & ST cases, Perambalur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.93 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 petitioner shall surrender before the



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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.

28.02.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

mpl



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G.CHANDRASEKHARAN, J.

mpl

To

- 1.The Session Judge,
Special Court for Exclusive Trial of SC & ST cases,
Perambalur.
- 2.The Deputy Superintendent of Police,
Perambalur District.
- 3.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
- 4.The Public Prosecutor,
High Court, Madras.

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