



Crl.O.P.No.5267 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.5267 of 2023

Veeramani

... Petitioner

VS

**1.The State Rep by
The Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Mayiladuthurai,
Mayiladuthurai District.**

**2.The Inspector of Police
Sembanorkoil Police Station,
Mayiladuthurai Dt.
(Crime No.76 of 2023)**

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. directing the learned District Sessions Judge, Special Court for SC/ST Act, Nagapattinam to accept the surrender of the petitioner herein and consider the bail petition concerned in Crime No.76 of 2023 on the file of the Inspector of Police, Sembanorkoil Police Station, Mayiladuthurai District on the same day itself.



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For Petitioner : Mr.C.T.Saravanan

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

ORDER

This Criminal Original Petition has been filed to direct the learned District Sessions Judge, Special Court for SC/ST Act, Nagapattinam to accept the surrender of the petitioner herein and consider the bail petition concerned in Crime No.76 of 2023 on the file of the Inspector of Police, Sembanorkoil Police Station, Mayiladuthurai District on the same day itself.

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 learned District Sessions Judge, Special Court for SC/ST Act, Nagapattinam, to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No.76 of 2023



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registered for the offences under Sections 294 (b) and 323 of IPC read with Section 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989 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 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.

08.03.2023

Index: Yes/No
Speaking/Non speaking order



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G.CHANDRASEKHARAN, J.

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To

- 1.The State Rep by
The Deputy Superintendent of Police,
O/o Deputy Superintendent of Police,
Mayiladuthurai,
Mayiladuthurai District.
- 2.The Inspector of Police
Sembanorkoil Police Station,
Mayiladuthurai Dt.
- 3.The Public Prosecutor,
High Court, Madras.

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