



Crl.O.P.No.7391 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.7391 of 2023

P.Saravanan

...

Petitioner

VS

1.The Deputy Superintendent of Police,
Gingee Division,
Villupuram (DT).

2.The Inspector of Police,
Sathyamangalam Police Station,
Villupuram District.

3.Naveenraja

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram, to consider and dispose of the bail application of the petitioner on merits in connection with the case in Crime No.56 of 2023 on the file of the Inspector of Police, Sathyamangalam Police Station, Villupuram District on the same date of his surrender and pass such order or further or other orders as this Court.

For Petitioner

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Mr.C.Iyyapparaj

For R1 & 2

...

Mr.S.Santhosh

Government Advocate (crl.side)

ORDER



Crl.O.P.No.7391 of 2023

WEB COURT This Criminal Original Petition has been filed to direct the Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram, to consider and dispose of the bail application of the petitioner on merits in connection with the case in Crime No.56 of 2023 under Sections 204(b), 323, 324, 506(ii) of IPC and 3(1)(r), 3(1)(s) and 3(2)(va) of SC and ST (Prevention of Atrocities) Amendment Act, 2015 on the file of the Inspector of Police, Sathyamangalam Police Station, Villupuram District on the same date of his surrender and pass such order or further or other orders as this Court.

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 Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.56 of 2023 on the file of the second respondent and pass appropriate orders



Crl.O.P.No.7391 of 2023

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.

03.04.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

gd



WEB COPY



Crl.O.P.No.7391 of 2023

G.CHANDRASEKHARAN, J.

gd

To

1. The Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram
2. The Deputy Superintendent of Police,
Gingee Division,
Villupuram (DT).
3. The Inspector of Police,
Sathyamangalam Police Station,
Villupuram District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.7391 of 2023

03.04.2023