



WEB COPY



CrI OP No.8165 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No. 8165 of 2023

- 1.Gurunathan
- 2.Mohan @ Gundumani
- 3.Manikandan
- 4.Sathish
- 5.Kanagaraj

... Petitioners

Versus

- 1.The Deputy Superintendent of Police,
Ariyalur, Ariyalur District.
- 2.The State represented by
Inspector of Police,
T.Palur Police Station,
Ariyalur District.
(Crime No.61 of 2023)

... Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the learned Principal District & Sessions Judge (Special Court under SC & ST Atrocities



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Act) at Ariyalur, Ariyalur District to accept the surrender of the petitioners herein concerned in Crime No.61 of 2023 pending on the file of the Inspector of Police, T.Palur Police Station, Ariyalur District and consider the bail petition on the same day itself.

For Petitioner : Mr.K.Balu

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge, (Special Court under SC and ST Atrocities Act), Ariyalur, Ariyalur District to consider his surrender and pass appropriate orders on the bail application filed by the petitioner on the same day in connection with Crime No.61 of 2023 on the file of the second respondent herein.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)



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Act, 1989 and also taking into consideration of the facts of the case, there shall be a direction to the learned learned Principal District and Sessions Judge, (Special Court under SC and ST Atrocities Act), Ariyalur, Ariyalur District to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.61 of 2023 registered for the offence under Sections 341, 294(b), 323, 506(ii), 379 IPC and Sections 3 (1) (r), 3(1)(s), 3(2)(va) of Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Amendment Act, 2015, on the file of the 2nd respondent and pass appropriate orders in accordance with law. 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.

3. The petitioner shall surrender before the concerned Jurisdictional Court, within a period of fifteen days from the date of receipt of a copy of this Order, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989.



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4. In view of the above, the Criminal Original Petition stands allowed. No costs.

13.04.2023

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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

1. The Deputy Superintendent of Police,
Ariyalur, Ariyalur District.
2. The Inspector of Police,
T.Palur Police Station,
Ariyalur District.



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SUNDER MOHAN, J

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