



Crl.O.P.No.7405 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.7405 of 2023

P.Saravanan

... Petitioner

VS

The State Rep by

1.The Deputy Superintendent of Police,
Gingee, Villupuram District.

2.The Inspector of Police
Sathiyamangalam Police Station,
Sathiyamangalam, Gingee Taluk,
Villupuram District.
Cr.No.56 of 2023.

3.Naveenraja

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Principal Sessions Special Court for SC and ST Act, Villupuram, to accept the petitioner surrender application and consider the petitioner bail application on the same day in connecting with Crime No.56 of 2023 on the file of the Inspector of Police, Sathiyamangalam Police Station, Sathiyamangalamj, Gingee Taluk, Villupuram District.



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For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.Santhosh (For R1 and R2)
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the Principal Sessions Special Court for SC and ST Act, Villupuram to accept the petitioner surrender application and consider the petitioner bail application on the same day in connecting with Crime No.56 of 2023 on the file of the Inspector of Police, Sathiyamangalam Police Station, Sathiyamangalamj, Gingee Taluk, Villupuram District.

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 Principal Sessions Special Court for SC and ST Act, Villupuram, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.56 of 2023 registered for the



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offences under Sections 294 (b), 323, 324 & 506 (2) IPC read with Section 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 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.

05.04.2023

Index: Yes/No
Speaking/Non speaking order



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G.CHANDRASEKHARAN, J.

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To

- 1.The Deputy Superintendent of Police,
Gingee, Villupuram District.
- 2.The Inspector of Police
Sathiyamangalam Police Station,
Sathiyamangalam, Gingee Taluk,
Villupuram District.
Cr.No.56 of 2023.
- 3.The Public Prosecutor,
High Court, Madras.

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