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Crl.O.P.No.7524 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2023

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7524 of 2023

Elumalai

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent,
Kallakurichi District.

2. State Rep. by
The Inspector of Police,
Thirupalapandal Police Station,
Villupuram District.
(Crime No.40 of 2018)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to direct the District Court, Villupuram (Session Judge, Special Court for Exclusive Trial of Cases Register Under SC/ST (POA) Act 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.40 of 2018 on the file of the 2nd respondent Police.

For Petitioners : M/s.R.Sasikumar

For Respondent : Mr.E.RajThilak, Additional Public Prosecutor
for [R.1&R.2]



ORDER

This Criminal Original Petition has been filed seeking direction to the District Court, Villupuram, Session Judge, Special Court for Exclusive Trial of Cases Registered under S.C & S.T (POA) Act Cases to consider the bail applications proposed to be filed by the petitioner on his surrender in connection with Crime No.40 of 2018 on the file of the 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 facts of the case, there shall be a direction to the District Court, Villupuram, Session Judge, Special Court for Exclusive Trial of Cases Registered under S.C & S.T (POA) Act Cases to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.40 of 2018 registered for the offence under Sections 147, 148, 341, 294(b), 324, 506(ii) of IPC, read with Section 3(1)(s), 3(2)(Va) of the S.C & S.T (Prevention of Atrocities) Act 1989, on the file of the second 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.

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3. The petitioners 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, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989.

4. In view of the above, the Criminal Original Petition stands allowed.

10.05.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
shr



To

1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent,
Kallakurichi District.
2. The Inspector of Police,
Thirupalapandal Police Station,
Villupuram District.
3. The District Court, Villupuram,
Session Judge, Special Court for Exclusive Trial
of Cases Register Under SC/ST (POA) Act.



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SUNDER MOHAN. J,

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