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CrI.O.P.No.7766 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.7766 of 2023

C.Murugan

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Pennagaram, Dharmapuri District.

2.The Inspector of Police
Eriyur Police Station, Dharmapuri District.
Crime No.258 of 2008

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to issue suitable directions to the Learned Principal District and Session Judge at Dharmapuri to accept the surrender of the petitioner and to consider on the same day on merits the bail petition to be filed by the petitioner in connection with PRC NO. 1/2016 on the file of the Learned District Munsif cum Judicial Magistrate, Pennagaram in crime no. 258/2008 on the file of the 1st Respondent police.

For Petitioner : Mr.Arun Anbumani

For Respondents : Mr.S.Santhosh Government Advocate
(CrI.Side)



Crl.O.P.No.7766 of 2023

ORDER

This Criminal Original Petition has been filed to direct the Principal District and Session Judge at Dharmapuri to consider the bail application on the same day of surrender of the petitioner concerned in Crime No.258 of 2008 on the file of the 1st respondent police.

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 learned Principal District and Session Judge at Dharmapuri to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.258 of 2008 registered for the offence under Sections 147 IPC, 3 of PPD Act & 3(1) VII of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on the file of the first 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.



Crl.O.P.No.7766 of 2023

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

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

11.04.2023

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

1. The Deputy Superintendent of Police,
Pennagaram, Dharmapuri District.
2. The Inspector of Police
Eriyur Police Station, Dharmapuri District.

SUNDER MOHAN. J.



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