



Crl OP No.8158 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No. 8158 of 2023

K.Manikandan

... Petitioner

Versus

1.The State rep. by
The Deputy Superintendent of Police,
Nagapattinam,
Nagapattinam District.

2.The Sub-Inspector of Police,
Thiruvenkadu Police Station,
Nagapattinam.
(Crime No.289/2017)

... Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the learned Special Court for the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act at Nagapattinam i.e, Principal District Judge, Nagapattinam to consider his bail application on the same day on merits in accordance with law in the event of the surrender of the petitioner in connection with Spl.S.C.No.20 of 2018 on the file



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of the Principal District Judge, Nagapattinam in Crime No.289 of 2017.

For Petitioner : Mr.A.Velmurugan

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

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Special Judge for the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act at Nagapattinam i.e, Principal District Judge, Nagapattinam to consider his bail application on the same day on merits in accordance with law in the event of the surrender of the petitioner in connection with Spl.S.C.No.20 of 2018 on the file of the Principal District Judge, Nagapattinam in Crime No.289 of 2017.

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 Judge,



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Nagapattinam to consider the petitioner's bail application on the same day of his surrender in connection with Spl.S.C.No.20 of 2018 on the file of the Principal District Judge, Nagapattinam in Crime No.289 of 2017 registered for the offence under Sections 147, 294(b), 323, 506(i) IPC r/w Sections 3(i)(r), 3(i)(s) and 3(2)(va) of Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Amendment Ordinance 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

kkn/dsa

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

1. The Deputy Superintendent of Police,
Nagapattinam,
Nagapattinam District.

2. The Sub-Inspector of Police,
Thiruvankadu Police Station,
Nagapattinam.



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SUNDER MOHAN, J

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