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Crl.O.P.No.7936 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7936 of 2023

K.K.Venkatachalam

... Petitioner

Vs.

1.State Rep. by
The Deputy Superintendent of Police,
Avinashi,
Tiruppur District.

2.State rep. by
The Inspector of Police,
Kunnathur Police Station,
Tiruppur District.
(Crime No.61 of 2023)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to direct the learned Principal District and Sessions Judge, Tiruppur (Special Judge for SC/ST Act Cases) to consider the petitioner's Bail application to be filed on the same day on his surrender in Crime No.61 of 2023 pending investigation on the file of the 2nd respondent.

For Petitioner : Mr.C.Ramkumar

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



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ORDER

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This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, Tiruppur (Special Judge for SC/ST Act Cases) to consider the petitioner's Bail application to be filed on the same day on his surrender in Crime No.61 of 2023 pending investigation on the file of the 2nd respondent.

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 Sessions Judge, Tiruppur (Special Judge for SC/ST Act Cases) 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 506(ii) of IPC read with Section 3 (1) (i), 3(1)(r), 3 (1) (s) and 3(2)(va) of SC/ST (POA) Act 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 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 victims under Section 15-A of the SC/ST (POA) Act, 1989.

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

12.04.2023

Index :Yes/No

Internet:Yes/No

Neutral Citation Case: Yes/No

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To

1.State Rep. by
The Deputy Superintendent of Police,
Avinashi,
Tiruppur District.

2.State rep. by
The Inspector of Police,
Kunnathur Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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