



Crl.O.P.No.8890 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8890 of 2023

Raja @ Rajeshwaran

...

Petitioner

VS

1.The Deputy Superintendent of Police,
Omalur Police Station,
Omalur Taluk, Salem District.

2.The State
represented of the Inspector of Police,
Omalur Police Station,
Salem District.
(Crime No.20 of 2021)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, directing the Principal Sessions Judge, Salem (Special Judge for Prevention of SC/ST Atrocities Act) to Consider the bail application of the petitioner concerned in Spl.SC.No.33 of 2021 on the file of the Principal Sessions Judge, Salem on his surrender on the same day on such terms and conditions and thus render justice.

For Petitioner

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Mr.N.Elango

For Respondents

...

Mr.S.Santhosh

Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed for directing the Principal Sessions Judge, Salem (Special Judge for Prevention of SC/ST Atrocities Act) to Consider the bail application of the petitioner concerned in Spl.SC.No.33 of 2021 on the file of the Principal Sessions Judge, Salem on his surrender on the same day on such terms and conditions and thus render justice.

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 the learned Principal Sessions Judge, Salem (Special Judge for Prevention of SC/ST Atrocities Act), to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Spl.SC.No.33 of 2021 on the file of the learned Principal Sessions Judge, Salem (Special Judge for Prevention of SC/ST Atrocities Act) 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,



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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.

24.04.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

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To

1. The Principal Sessions Judge, Salem (Special Judge for Prevention of SC/ST Atrocities Act)
2. The Deputy Superintendent of Police,
Omalur Police Station,
Omalur Taluk, Salem District.
3. The State
represented of the Inspector of Police,
Omalur Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.

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