



Crl.O.P.No.8334 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8334 of 2023

Vijay Kumar @Vijay

... Petitioner

VS

The State, Rep by,
Sub Inspector of Police,
Appakoodal Police Station,
Erode,
Erode District.
(Crime No.41 of 2023)

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District and Sessions Judge, Erode, to consider the bail application of the petitioner in Crime No.41 of 2023 surrender on the same day pending on the file of the respondent and pass orders and thus render justice.

For Petitioner : Mr.A.S.Prabu

For Respondent : Mr.S.Santhosh
Government Advocate (crl.side)



Crl.O.P.No.8334 of 2023

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge, Erode, to consider the bail application filed by the petitioner on their surrender in connection with Crime No.41 of 2023 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 possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Principal District and Sessions Judge, Erode, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.41 of 2023 registered for the offences under Section 363 I.P.C. read with Section 3 (2) (va) of The Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, on the file of the respondent 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, 1989. The petitioner shall surrender before the concerned Jurisdictional Court, within a period of fifteen days from the



Crl.O.P.No.8334 of 2023

date of the receipt of a copy of this Order.

WEB COPY

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.

18.04.2023

Index: Yes/No
Speaking/Non speaking order

ep

G.CHANDRASEKHARAN, J.



Crl.O.P.No.8334 of 2023

ep

WEB COPY

To

- 1.The Principal District and Sessions Judge, Erode.
- 2.The Sub Inspector of Police,
Appakoodal Police Station,
Erode,
Erode District.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.8334 of 2023

18.04.2023