



Crl.O.P.No.8442 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.8442 of 2023

Paranthaman

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Ambur, Tirupathur District.

2.The Inspector of Police,
Ambur Town Police Station,
Tirupathur District.
(Crime No.143 of 2022)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Sessions Special Court Judge for SC/ST Court, Vellore, to consider the bail application filed by the petitioner on the same day of his surrender in respect of the Crime No.143 of 2022 pending before the respondent Police.

For Petitioner : Mr.T.Saravanan

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



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Sessions Special Court Judge for SC/ST Court, Vellore, to consider the bail application filed by the petitioner on their surrender in connection with Crime No.143 of 2022 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 Sessions Special Court Judge for SC/ST Court, Vellore, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.143 of 2022 registered for the offences under Section 147, 148, 294 (b), 323, 324 and 307 I.P.C. read with Sections 3 (1) (r) & 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,



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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 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.

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Index: Yes/No
Speaking/Non speaking order
ep



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G.CHANDRASEKHARAN, J.

ep

To

- 1.The Sessions Special Court Judge for SC/ST Court, Vellore.
- 2.The Deputy Superintendent of Police,
Ambur, Tirupathur District.
- 3.The Inspector of Police,
Ambur Town Police Station,
Tirupathur District.
- 4.The Public Prosecutor,
High Court, Madras.

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