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Crl.O.P.No.8696 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2023

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THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

**Crl.O.P.No.8696 of 2023**

Deva

... Petitioner

Vs

1. The Deputy Superintendent of Police,  
Neyveli Township,  
Cuddalore District.

2. State represented by  
Inspector of Police,  
Neyveli Thermal Police Station,  
Cuddalore District.

(Crime No.10 of 2023)

... Respondents

**Prayer :** Criminal Original Petition has been filed under Section 482 of Cr.P.C, to pass an order, directing the Learned Sessions Judge, Special Court for Exclusive Trial of cases registered under SC and ST Atrocities Act at Cuddalore, Cuddalore District to accept the surrender of the petitioners herein concerned in Crime No.10 of 2023 on the file of Inspector of Police, Neyveli Thermal Police Station, Cuddalore District and consider the petition seeking direction on the same day itself.

For Petitioner

... Mr.K.Vijayakumar

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 directing the Learned Sessions Judge, Special Court for Exclusive Trial of cases registered under SC and ST Atrocities Act at Cuddalore, Cuddalore District to accept the surrender of the petitioners herein concerned in Crime No.10 of 2023, under Sections 294(b), 323 and 506(1) of IPC and Section 3(1)(x) of SC/ST Prevention of Atrocities Act, 1989 on the file of Inspector of Police, Neyveli Thermal Police Station, Cuddalore District and consider the petition seeking direction on the same day itself.

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 Judge, Special Court for Exclusive Trial of cases registered under SC and ST Atrocities Act at Cuddalore, Cuddalore District, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.10 of 2023 pending on the file of the second respondent police 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



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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.

**20.04.2023**

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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**G.CHANDRASEKHARAN, J.**

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To

1. The Sessions Judge, Special Court for Exclusive Trial of cases registered under SC and ST Atrocities Act at Cuddalore, Cuddalore District.
2. The Deputy Superintendent of Police,  
Neyveli Township,  
Cuddalore District.
3. The Inspector of Police,  
Neyveli Thermal Police Station,  
Cuddalore District.
4. The Public Prosecutor,  
High Court, Madras.

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20.04.2023