



CRL.O.P.No.10304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 05.05.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.10304 of 2023

V.Iyyappan

... Petitioner

Vs

1.The Deputy Superintendent of Police,  
O/o.Deputy Superintendent of Police,  
Mayiladuthurai District.

2.The State rep by  
The Inspector of Police,  
Manalmedu Police Station,  
Mayiladuthurai District.  
Crime No.26 of 2023

3.K.Karikalan

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Judge, Nagapattinam to accept the surrender of the petitioner and consider his bail petition in Crime No.26 of 2023 pending on the file of the first respondent Police on the same day.



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For Petitioner : Mr.S.John Josh

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

**ORDER**

This petition is filed for a direction to the learned Principal District and Sessions Judge, Nagapattinam, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.26 of 2023, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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, Nagapattinam, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.26 of 2023 and pass appropriate orders in accordance with law, after affording due opportunity to the victim under



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Section 15(a) of the SC/ST Act. 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. With the above direction, the Criminal Original Petition stands allowed.

05.05.2023

vkr

Internet:Yes

Index:Yes/no

Speaking/Non speaking order

**Note: Issue order copy on 05.05.2023**



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**G.K.ILANTHIRAIYAN, J.**

vkrr

To

- 1.The Principal District and Sessions Judge,  
Nagapattinam.
- 2.The Public Prosecutor,  
High Court, Madras.

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