



WEB COPY



Crl OP No.10931 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.05.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No. 10931 of 2023

Kandhasamy

... Petitioner

Versus

1. The Superintendent of Police,
Namakkal District.

2. The State rep by,
The Inspector of Police,
Namagiripet Police Station,
Namakkal District.
Crime No.126 of 2023

... Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the learned Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Namakkal to consider the bail application on the same day on surrender of the petitioner in Crime Number 126 of 2023 pending on the file of the second respondent police.



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For Petitioner : Mr. R.Nalliyappan
For Respondents : Mr. S.Balaji
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Namakkal to consider the petitioner's bail application on the same day on his surrender in Crime Number 126 of 2023 pending on the file of the second respondent police.

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 facts of the case, there shall be a direction to the Special Court for S.C & S.T Act Cases, Namakkal to consider the petitioner bail application on the same day of his surrender in connection with ***Crime No.126 of 2023*** registered for the offence under ***Sections 294(b), 324, 506(ii) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of***



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Atrocities) Amendment Act, 2015 on the file of the second respondent and pass appropriate orders in accordance with law. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedent of the petitioner and pass orders.

3. 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, after affording due opportunity to the victim under Section 15-A of the SC/ST (POA) Act, 1989,

4. In view of the above, the Criminal Original Petition stands allowed. No costs.

10.05.2023

drl

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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To

- 1.The Principal Sessions Judge and Special Judge
for Prevention of SC & ST Atrocities Act,
Namakkal.
2. The Superintendent of Police,
Namakkal District.
3. The Inspector of Police,
Namagiripet Police Station,
Namakkal District.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J

drl

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