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Crl OP No.10955 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No. 10955 of 2023

Ajeeth

... Petitioner

Versus

1. The Deputy Superintendent of Police,
Salem District.

2. The State rep by,
The Inspector of Police,
Karipatty Police Station,
Salem District.

Crime No.133 of 2023

... Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the learned Principal District and Sessions Judge, (Special Court for SC/ST Act), Salem District to consider the bail application of the petitioner on the same day of surrender before the Court in connection with Crime No.133 of 2023 pending investigation on the file of the second respondent police.



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For Petitioner : Mr. A.Sathishkumar
For Respondents : Mr. S.Balaji
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge, (Special Court for SC/ST Act), Salem District to consider the bail application proposed to be filed by the petitioner on his surrender in connection with Crime No.133 of 2023 on the file of the second 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 facts of the case, there shall be a direction to the Special Court for S.C & S.T Act Cases, Salem District to consider the petitioners' bail application on the same day of his surrender in connection with ***Crime No.133 of***



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2023 registered for the offence under **Sections 147, 148, 294(b), 323, 324, 307, 506(ii) of IPC r/w Sections 3(1)(r), 3(1)(s), 3(2)(v) of SC/ST (POA) Amendment Act, 2016** 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.

11.05.2023

drl

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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To

1. The Principal District and Sessions Judge,
Special Court for SC/ST Act,
Salem District.
2. The Deputy Superintendent of Police,
Salem District.
3. The Inspector of Police,
Karipatty Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J

drl

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