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Crl OP No.11017 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. 11017 of 2023

Mathan

... Petitioner

Versus

**1. The Superintendent of Police,
Salem District,
Salem.**

**2. The State rep by,
The Sub-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 Sessions Court, Salem to consider the bail petition of the petitioner on his surrender in connection with the above Crime Number 133 of 2023 on the file of the respondent and dispose of the petitioner's bail petition on the same day on merits.



Crl OP No.11017 of 2023

WEB COPY

For Petitioner : Mr. D.Velu
For Respondents : Mr. S.Balaji
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal Sessions Court, Salem 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 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 learned Principal Sessions Court, Salem to consider the petitioners' bail application on the same day of his surrender in connection with ***Crime No.133 of 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***



Crl OP No.11017 of 2023

(Prevention of Atrocities) Act, 1989 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



Crl OP No.11017 of 2023

To

WEB COPY

1. The Principal Sessions Court,
Salem.
2. The Superintendent of Police,
Salem District,
Salem.
3. The State rep by,
The Sub-Inspector of Police,
Karipatty Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.



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Crl OP No.11017 of 2023

SUNDER MOHAN, J

drl

Crl.O.P.No. 11017 of 2023

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