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*Crl OP No.10934 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. 10934 of 2023

E.Ramesh

... Petitioner

Versus

1. The State rep by,  
The Superintendent of Police,  
Kanchipuram, Collectorate Buildings,  
Kanchipuram – 631 501.

2. The State rep by,  
The Inspector of Police,  
Baluchettychatram Police Station,  
Kancheepuram District.  
Crime No.526 of 2022

... 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) at Chengalpet, Kancheepuram, to accept the surrender of the petitioner in connection with Crime Number 526 of 2022 on the file of the



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respondent police for the offences under Sections 294(b), 506(2) IPC and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 to consider the same and pass orders in the bail application to be filed by the petitioner on the same day.

For Petitioner : Mr. N.Sivaprakash  
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) at Chengalpet, Kancheepuram, to consider the bail application proposed to be filed by the petitioner on his surrender in connection with Crime No.526 of 2022 on the file of the second respondent police on the same day.



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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, Chengalpet, Kanchipuram District to consider the petitioners' bail application on the same day of his surrender in connection with ***Crime No.526 of 2022*** registered for the offence under ***Sections 294(b), 506(2) of IPC and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (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,



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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

To

1. The Principal District and Sessions Judge,  
Special Court for SC/ST Act, Chengalpet,  
Kanchipuram District.
2. The Superintendent of Police,  
Kanchipuram, Collectorate Buildings,  
Kanchipuram – 631 501.
3. The Inspector of Police,  
Baluchettychatram Police Station,  
Kancheepuram District.
4. The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN, J**

*drl*

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