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Crl OP No.10960 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. 10960 of 2023

Parthiban

... Petitioner

Versus

1. The State Represented by
Deputy Superintendent of Police,
Perambalur District.

2. The Inspector of Police,
Perambalur Police Station,
Perambalur.

Crime No.263 of 2017

... Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the Special Court for SC/ST Cases, Perambalur to consider the bail application of the petitioner concerned in SPL.SC.No.55 of 2020 before the Special Court for SC/ST Cases, Perambalur in Crime No.263 of 2017 on the file of the second respondent or on his surrender on the same day on such terms and conditions.



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For Petitioner : Mr. C.Prabakaran
For Respondents : Mr. S.Balaji
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the Special Court for SC/ST Cases, Perambalur to consider the bail application proposed to be filed by the petitioner on his surrender in Spl. SC.No.55 of 2020 in connection with Crime No.263 of 2017 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, Perambalur to consider the petitioners' bail application on the same day of his surrender in connection with ***Crime No.263 of 2017***



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registered for the offence under **Sections 174 of Cr.P.C @ Sections 306, 294(b), 417, 420, 506(i), 109 of IPC r/w 3(2)(v), 3(1)(r), 3(1)(s) of SC/ST (POA) 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.

11.05.2023

drl

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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To



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- 1.The Special Court for SC/ST Cases,
Perambalur.
2. The Deputy Superintendent of Police,
Perambalur District.
3. The Inspector of Police,
Perambalur Police Station,
Perambalur.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J

drl

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