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Crl OP No.11119 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. 11119 of 2023

Magi @ Mahendran

... Petitioner

Versus

1. The Deputy Superintendent of Police,
Villupuram, Villupuram District.

2. The State represented by
The Inspector of Police,
Brammadesam Police Station,
Villupuram District.
Crime No.156 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 under SC/ST Atrocities Act) at Villupuram, Villupuram District to accept the surrender of the petitioners concerned in Crime No.156 of 2023 pending on the file of the second respondent police and consider the bail petition on the same day itself.



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For Petitioner : Mr. M.R.Elavarasan

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

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ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge (Special Court under SC/ST Atrocities Act) at Villupuram, Villupuram District to consider the bail application proposed to be filed by the petitioner on his surrender in connection with Crime No.156 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, Villupuram, Villupuram District to consider the petitioners' bail application on the same day of his surrender in connection with



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Crime No. 156 of 2023 registered for the offence under **Sections 294(b), 323, 506(i) of IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (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



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To



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- 1.The Principal District and Sessions Judge
(Special Court under SC/ST Atrocities Act),
Villupuram, Villupuram District
2. The Deputy Superintendent of Police,
Villupuram, Villupuram District.
3. The State represented by
The Inspector of Police,
Brammadesam Police Station,
Villupuram District.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J

drl

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