



Crl OP No.11128 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. 11128 of 2023

Pappaiya @ Jayasakthivel

... Petitioner

Versus

1. The State Rep by

**The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Mayiladuthurai.**

**2. The Inspector of Police,
Kuthalam Police Station,
Mayiladuthurai District.
Crime No.270 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, Nagapattinam to accept the surrender of the petitioner and consider the bail petition concerned in Crime No.270 of 2022 on the file of the second respondent police on the same day itself.



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For Petitioner : Mr. C.T.Saravanan
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, Nagapattinam to consider the bail application proposed to be filed by the petitioner on his surrender in connection with Crime No.270 of 2022 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, Nagapattinam to consider the petitioners' bail application on the same day of his surrender in connection with ***Crime No. 270 of 2022*** registered for the offence under ***Sections 147, 148, 294(b),***



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324, 427 of IPC r/w Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST

(Prevention of Atrocities) 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 Principal District and Sessions Judge
Special Court for SC/ST Act,
Nagapattinam.
2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Mayiladuthurai.
3. The Inspector of Police,
Kuthalam Police Station,
Mayiladuthurai District.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J

drl

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