



CRL.O.P.No.11188 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.05.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A. NAKKIRAN

CRL.O.P.No.11188 of 2023

Saravanan

... Petitioner

Vs

1.The State of Tamilnadu
through the Deputy Superintendent of Police,
Mohanur Police Station, Namakkal District.

2.The State of Tamilnadu,
through the Inspector of Police,
Mohanur Police Station,
Namakkal District.

Crime No.314 of 2022

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court/Principal Sessions Judge under SC/ST (Prevention of Atrocities) Act cases, Namakkal, to consider the bail application of the petitioner in Crime No.314 of 2022 on the same day.

For Petitioner : Mr.Deepanuday

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (crl.side)

ORDER

Page 1 of 4



CRL.O.P.No.11188 of 2023

This petition is filed for a direction to the Special Court/Principal Sessions Judge under SC/ST (Prevention of Atrocities) Act cases, Namakkal, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.314 of 2022, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Court/Principal Sessions Judge under SC/ST (Prevention of Atrocities) Act cases, Namakkal, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 314 of 2022 and pass appropriate orders in accordance with law, after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. 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.



CRL.O.P.No.11188 of 2023

WEB COPY

3. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders. Mere direction issued by this Court to consider the bail petition on the same day does not amount to consider it favourably.

4. With the above direction, the Criminal Original Petition stands allowed.

17.05.2023

Lbm

Internet:Yes

Index:Yes/no

Speaking/Non speaking order

A.A. NAKKIRAN, J.

Lbm

To

1.The Special Court/Principal Sessions Judge

Page 3 of 4



CRL.O.P.No.11188 of 2023

under SC/ST (Prevention of Atrocities) Act cases,
Namakkal,

WEB COPY

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.11188 of 2023

17.05.2023