



Crl.O.P.No.12919 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.12919 of 2023

Periyasami

... Petitioner

/vs/

1. The Deputy Superintendent of Police,
Salem.

2. State Rep by The Inspector of Police,
Karipatty Police Station,
Salem District.
Crime No.133 of 2023

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to issue direction to the learned Principal District Judge at Salem to accept the surrender of the petitioner herein and consider the bail petition concerned in Crime No.133 of 2023 on the file of the 2nd respondent police on the same day itself.

For Petitioner

... Mr.J.Franklin

For Respondents

... Mr. Leonard Arul Joseph Selvam
Government Advocate (crl.side)



Crl.O.P.No.12919 of 2023

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District Judge at Salem to accept the surrender of the petitioner herein and consider the bail petition concerned in Crime No.133 of 2023 on the file of the 2nd respondent police on the same day itself.

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 Principal District Judge at Salem to consider the petitioner's bail application in Crime No.133 of 2023 registered for the offences under Sections 147, 148, 294(b), 323, 324, 307 & 506(ii) of IPC and under Section 3(1)(r), 3(1)(s) & 3(2)(v) of SC/ST (Prevention of Atrocities) Act, 1989 on the file of the second respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. 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.12919 of 2023

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, does not amount to consider it favourably.

4. In view of the above, the Criminal Original Petition stands allowed.

12.06.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
Sma



Crl.O.P.No.12919 of 2023

G.CHANDRASEKHARAN, J.

Sma

To

1. The Deputy Superintendent of Police,
Salem.
2. State Rep by The Inspector of Police,
Karipatty Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.12919 of 2023

12.06.2023