



Crl.O.P.No.13087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13087 of 2023

Ramasamy N

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Petitioner

VS

1.The Deputy Superintendent of Police,
Avinashi Sub Division,
Tiruppur District.

2.The State represented by
The Inspector of Police,
Avinashi Police Station,
Tiruppur District.

(Crime No.243 of 2023)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, directing the learned District Principal Sessions Court, Tiruppur to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.243 of 2023 on the file of the 2nd respondent police.

For Petitioner

...

Mr.C.S.Saravanan

For Respondents

...

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

ORDER



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This Criminal Original Petition has been filed for directing the learned District Principal Sessions Court, Tiruppur to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.243 of 2023 on the file of the 2nd respondent police.

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 learned District Principal Sessions Court, Tiruppur, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.243 of 2023 on the file of the learned District Principal Sessions Court, Tiruppur, 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.



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

13.06.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

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To

1. The District Principal Sessions Court, Tiruppur
2. The Deputy Superintendent of Police,
Avinashi Sub Division,
Tiruppur District.
3. The State represented by
The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.

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