



Crl.O.P.No.13007 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.13007 of 2023

Ajay

... Petitioner

/vs/

1. The Inspector of Police,
Neelankarai Police Station,
Adyar.
Crime No.177 of 2023

2. Amudha

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to issue direction to the learned Principal District and Sessions Judge for Special Cases under SC/ST (POA) Act, Chengalpet to consider the bail application on the same day for the petitioner in Crime No.177 of 2023 pending on the file of the Respondent Police

For Petitioner

... Mr.R.Vivekananthan

For Respondents

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



CrI.O.P.No.13007 of 2023

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge for Special Cases under SC/ST (POA) Act, Chengalpet to consider the bail application on the same day for the petitioner in Crime No.177 of 2023 pending on the file of the 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 Principal District and Sessions Judge for Special Cases under SC/ST (POA) Act, Chengalpet to consider the petitioner's bail application in connection with Crime No.177 of 2023 registered for the offences under Sections 147, 148, 294(b), 323, 324, 307 & 506(ii) of IPC and under Sections 294(b), 506(1) of Indian Penal Code read with Section 3(2)(ii), 3(2)(VA) of SC/ST Prevention of Atrocities Act, 2015 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



Crl.O.P.No.13007 of 2023

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.

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



WEB COPY



Crl.O.P.No.13007 of 2023

G.CHANDRASEKHARAN, J.

Sma

To

1. The Inspector of Police,
Neelankarai Police Station,
Adyar.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.13007 of 2023

12.06.2023