



Crl.O.P.No.13300 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13300 of 2023

E.Alex

... Petitioner

Vs

The Inspector of Police,
Kiliyanoor Police Station,
Viluppuram District.

Crime No.156 of 2023

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Special District Judge for SC & ST (POA) Cases, Villupuram District to consider the bail application of the petitioner herein on the day of surrender pertaining to the Crime No.156 of 2023 on the file of the Kiliyanoor Police Station, Villupuram District.

For Petitioner : Mr.R.Dineshkumar

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Special District Judge for SC & ST (POA) Cases, Villupuram



Crl.O.P.No.13300 of 2023

District, to consider the bail application filed by the petitioner on their surrender in connection with Crime No.156 of 2023 on the file of the 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 possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Special District Judge for SC & ST (POA) Cases, Villupuram District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.156 of 2023 registered for the offences under Sections 294 (b), 323, 324 and 506 (2) IPC read with Section 3 (1) (r), 3 (1) (s) and 3 (2) (va) of The Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, on the file of the 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



Crl.O.P.No.13300 of 2023

of the receipt of a copy of this Order.

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

15.06.2023

Index: Yes/No
Speaking/Non speaking order

ep



WEB COPY



Crl.O.P.No.13300 of 2023

G.CHANDRASEKHARAN, J.

ep

To

- 1.The Inspector of Police,
Kiliyanoor Police Station,
Viluppuram District.
- 2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.13300 of 2023



WEB COPY



CrI.O.P.No.13300 of 2023

15.06.2023