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Crl.O.P.No.24982 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2023

CORAM

THE HONOURABLE MR. JUSTICE R. KALAIMATHI

Crl.O.P.No.24982 of 2023

Pazhanisamy

... Petitioner

Vs.

1.The Deputy Superintendent Of Police,
Kangeyum Sub Division, Tiruppur District.

2. State Rep By
The Inspector Of Police,
Vellakovil Police Station,
Tiruppur District.
Crime No 371 of 2023.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to direct the Learned Principal District Sessions Judge, Tiruppur to consider the bail application of the petitioner on the same day in the event of his surrender in connection with Crime No.371 of 2023 on the file of the 2nd respondent police.

For Petitioner : Mr.M.Kavikannan

For Respondents : Mr.L.Baskaran,

Government Advocate (Crl.Side)



ORDER

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This Criminal Original Petition has been filed seeking direction to the District Court, Tiruppur, Session Judge, Special Court for Exclusive Trial of Cases Registered under S.C & S.T (POA) Act Cases to consider the bail applications proposed to be filed by the petitioner on his surrender in connection with Crime No.371 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 facts of the case, there shall be a direction to the District Court, Tiruppur, Session Judge, Special Court for Exclusive Trial of Cases Registered under S.C & S.T (POA) Act Cases to consider the petitioner's bail application on the same day of his surrender in connection with Crime No. 371 of 2023 registered for the offence under Section 294(b), 323, 506(2) of IPC, read with Section 3(1)(r), 3(1)(s), 3(2)(Va) of the S.C & S.T (Prevention of Atrocities) Act 1989, on the file of the second respondent and pass appropriate orders in accordance with law. It is needless to say that the Court below while disposing the bail



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petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders.

3. The petitioners 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, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989.

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

26.10.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation :Yes/No

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R. KALAIMATHI. J.

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To

1.The Deputy Superintendent Of Police,
Kangeyum Sub Division, Tiruppur District.

2. The Inspector Of Police,
Vellakovil Police Station,
Tiruppur District.
Crime No 371 of 2023.

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