



Crl.O.P.No.32603 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

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THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.32603 of 2022

C.Dhuraimony

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Petitioner

/vs/

1. The Deputy Superintendent of Police,
Pennagaram,
Dharmapuri District.

2. Inspector of Police,
Paparapatti Police Station,
Dharmapuri District.
Crime No.218 of 2022

...

Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Special Judge for SC & ST Act Cases /Principal District Judge, Dharmapuri to accept the surrender and consider the bail petition to be filed by the petitioner on the same day on merits in connection with the case in Crime No.218 of 2022 pending investigation on the file of the respondent police.

For Petitioner

...

Mr.N.Ponraj

For Respondent

...

Mr.S.Santhosh,
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the Special Judge for SC & ST Act Cases /Principal District Judge, Dharmapuri to accept the surrender and consider the bail petition to be filed by the petitioner on the same day on merits in connection with the case in Crime No.218 of 2022 pending investigation 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 Special Judge for SC & ST Act Cases /Principal District Judge, Dharmapuri to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.218 of 2022 on the file of the 2nd 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 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.



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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 petitioners 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 disposed of.

04.01.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order
sma

To

1. Special Judge for SC & ST Act Cases /
Principal District Judge, Dharmapuri
2. The Deputy Superintendent of Police,
Pennagaram,
Dharmapuri District.
3. Inspector of Police,
Paparapatti Police Station,
Dharmapuri District.
4. The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.

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