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Crl.OP.No.11102 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE **K.KUMARESH BABU**

Crl.OP.No.11102 of 2024

Muraleedharan

...Petitioner

Vs.

1. The Assistant Commissioner of Police
Flower Bazaar, Chennai

2. State, rep. by Inspector of Police
B-1, North Beach Police Station
Chennai- 600 001
(Cr.No.96 of 2024)

3. Gunaseelan

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the Principal Sessions Court cum Special Judge under SC/ST (Prevention of Atrocities) Act, 1989 at Chennai, to consider the bail application on the same day on merits of his surrender in connection with Cr.No.96 of 2024 on the file of the 2nd respondent police.

For Petitioner	...	M/s.M.F.Shabana
For R1 and R2	...	Mr.L.Baskaran
		Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the Principal Sessions Court cum Special Judge under SC/ST (Prevention of Atrocities) Act, 1989 at Chennai, to consider the bail application of the petitioner on the same day on merits of his surrender in connection with Crime No.96 of 2024 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 Principal Sessions Court cum Special Judge under SC/ST (Prevention of Atrocities) Act, 1989, Chennai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.96 of 2024 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 SC/ST (POA) Act, 1989. The petitioner shall surrender before the



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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 on the same day, does not amount to consider it favourably.

4. With the above direction, this Criminal Original Petition stands disposed of.

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To

1. The Assistant Commissioner of Police
Flower Bazaar, Chennai
2. The Inspector of Police
B-1, North Beach Police Station
Chennai- 600 001
3. The Public Prosecutor,
High Court of Madras



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K.KUMARESH BABU. J.

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