



CrI.OP.No.11165 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

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

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Dinesh @ Dineshkumar

...Petitioner

Vs.

1. State, rep.by
The Deputy Superintendent of Police,
Vazhapadi,
Salem District.

3. State rep. by
The Inspector of Police,
Ethappur Police Station,
Salem District.
Crime No.124 of 2024

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the learned Principal District and Sessions Judge, Salem (Special Judge for SC/ST Act cases), to consider the petitioner's bail application to be filed on the same day on his surrender in Crime No.124 of 2024 pending investigation on the file of the 2nd Respondent.

For Petitioner	...	M/s.M.Sivakumar
For Respondents	...	Mr.L.Baskaran
		Government Advocate (crl.side)



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ORDER

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This Criminal Original Petition has been filed seeking for a direction to the Principal District and Sessions Judge, Salem (Special Judge for SC/ST Act Cases), to consider the bail application of the petitioner on the same day on merits of his surrender in connection with Crime No.124 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 District and Sessions Judge, Salem (Special Judge for SC/ST Act Cases), to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.124 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 concerned Jurisdictional Court, within a period of fifteen days from the date of receipt of a copy of this



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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 Principal District and Sessions Judge,
Salem (Special Judge for SC/ST Act cases)
2. The Deputy Superintendent of Police,
Vazhapadi, Salem District.
3. The Inspector of Police,
Ethappur Police Station, Salem District.
4. The Public Prosecutor,
High Court of Madras



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K.KUMARESH BABU. J.

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