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Crl.OP.No.12622 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2024

CORAM

THE HONOURABLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12622 of 2024

Sankar

... Petitioner

Vs.

1. The State rep by
The Deputy Superintendent of Police,
Tiruvallur

2.The state rep by
The Inspector of Police,
Gummudipoondi Police Station,
Tiruvallur District.
Crime No.379 of 2024.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to to direct the learned Special Court for SC/ST Act cases, Principal District and Sessions Judge, Tiruvallur to consider the bail application of the petitioners concerned in Crime No.379 of 2024 pending trial on the file of the 2nd respondent police on their surrender on the same day.

For Petitioner : Mr.R.Parthiban

For Respondents : Mr.S.Vinoth Kumar



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Government Advocate(Crl.side)

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ORDER

This Criminal Original Petition has been filed seeking for a direction to learned Principal District and Sessions Judge, Tiruvallur (Special Court for SC/ST Act cases) to consider the petitioner's bail application on the same day of his surrender in Crime No.379 of 2024 on the file of the second respondent police.

2. The petitioner has been arrayed as an accused in Crime No.379 of 2024 for the offences punishable under Sections 374, 344 of IPC and 16, 17, 18 of Bonded Labour System (Abolition) Act, 1976 and Section 3(1)(h) of SC/ST (Prevention of Atrocities) Act, 1989.

3. 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Principal District and Sessions Judge, Tiruvallur (Special Court for SC/ST Act cases) to consider



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the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.379 of 2024 on the file of the second respondent and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioner 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.

4. 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.

5. With the above direction, this Criminal Original Petition is disposed of.

24.05.2024

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
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C.SARAVANAN, J.

nr

To

- 1.The learned Principal District and Sessions Judge, Tiruvallur (Special Court for SC/ST Act cases)
2. The Deputy Superintendent of Police,
Tiruvallur
3. The Inspector of Police,
Gummudipoondi Police Station,
Tiruvallur District.
- 4.The Public Prosecutor,
High Court of Madras, Chennai.

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