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CrI.O.P.No.31264 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.31264 of 2024

Thangadurai

...Petitioner

Vs.

1. The Deputy Superintendent of Police
Perambalur
Perambalur District

2. Inspector of Police
Kaikalathur Police Station
Perambalur District
(Crime No.161 of 2024)

...Respondents

Prayer: Criminal Original Petition is filed under Section 528 of the BNSS, to direct the Special Court for Exclusive trial of Cases registered SC/ST (POA), Perambalur, to accept the surrender of the petitioner and to consider the bail petition on the same day in Crime No.161 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.Diwakar

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition is filed to direct the Special Court for Exclusive trial of Cases under SC/ST (POA), Perambalur, to accept the surrender of the petitioner and to consider the bail petition on the same day in Crime No.161 of 2024 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 facts of the case, there shall be a direction to the Special Court for Exclusive trial of Cases under SC/ST (POA), Perambalur, to consider the petitioner's bail application on the same day of his surrender in connection with ***Crime No.161 of 2024*** registered for the offence under ***Sections 296(b), 118(1), 303(2), 351(3) of B.N.S. and Sections 3(1)(r) and 3(1)(s) of SC/ST (Prevention of Atrocities) Act, 1989***, on the file of the 2nd respondent and pass appropriate orders in accordance with law. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedent of the petitioner and pass orders, after affording opportunity of hearing to the victim under Section 15-A of the SC/ST (POA) Act, 1989.



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3. 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. With the above directions, this Criminal Original Petition stands allowed.

13.12.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To
WEB COPY

1. The Deputy Superintendent of Police
Perambalur
Perambalur District
2. Inspector of Police
Kaikalathur Police Station
Perambalur District
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.,

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