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Crl.O.P.(MD)No.18972 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.18972 of 2024

Vignesh

: Petitioner

Vs.

1. The Superintendent of Police
Thoothukudi District
Thoothukudi
2. The Deputy Superintendent of Police
Sathankulam
Thoothukudi District
3. The Inspector of Police
Nazareth Police Station
Thoothukudi District
4. Mano

: Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions Judge, Special Court for trial of cases under SC/ST (Prevention of Atrocities) Act, Thoothukudi and to accept the surrender of the petitioner in Crime No.155 of 2024 on the file of the third respondent and to consider and pass orders on the bail application to be preferred by the petitioner on the same day itself.



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For Petitioner : Mr.A.Robinsion
For Respondents : Mr.A.Thiruvadikumar
No.1 to 3 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, Special Court for trial of cases under SC/ST (Prevention of Atrocities) Act, Thoothukudi and to accept the surrender of the petitioner in Crime No.155 of 2024 on the file of the third respondent and to consider and pass orders on the bail application to be preferred by the petitioner on the same day itself.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 to 3 and perused the materials available on record.

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, Special Court for trial of cases under SC/ST (Prevention of Atrocities) Act, Thoothukudi, to



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consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.155 of 2024 on the file of the third respondent police 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 favorably.

5. With the above direction, this Criminal Original Petition stands allowed.

04.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
aav

Note: Issue order copy on 05.11.2024



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To

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1. The Principal District and Sessions Judge,
Special Court for trial of cases under SC/ST
(Prevention of Atrocities) Act, Thoothukudi
2. The Superintendent of Police
Thoothukudi District
Thoothukudi
3. The Deputy Superintendent of Police
Sathankulam
Thoothukudi District
4. The Inspector of Police
Nazareth Police Station
Thoothukudi District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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