



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

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THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.Nos.2639, 2396 & 2488 of 2022

1.K.Kumar
2.K.Thangamani
3.K.Prasath
4.S.Kannan
5.K.Vijayakumar ...Petitioners in Crl.O.P.No.2639 of 2022

1.K.Veeramani
2.M.Vijayakanth
M.Selvam ...Petitioners in Crl.O.P.No.2396 of 2022

1.V.M.Mani
2.N.Selvaraj
3.M.Pavunkumar
4.S.Gopi @ Pachiyappan
5.P.Ramesh @ Santherakesan
6.M.Mahendran
7.S.Suman
8.K.Prem @ K.Premkumar
9.K.Praveen Kumar
10.S.Thanigai @ S.Ekambaram
11.S.Chinnamani
12.A.Manikandan
13.V.Magesh ...Petitioners in Crl.O.P.No.2488 of 2022

Vs

1.The State rep by
The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District,
[Crime No.38 of 2022]

2.The Deputy Superintendent of Police,
Polur Sub Division,
Thiruvannamalai District. ...Respondents in all Crl.O.Ps.

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to direct the petitioners to surrender and move bail application and direct the Special Court for exclusive trial of cases under S.C and S.T (Prevention of Atrocities Act), 1987 and Amendment Act, 2015, Thiruvannamalai



to consider their bail application on the same day in respect of Crime No.38 of 2022, on the file of the Inspector of Police, Kadaladi Police Station, Thiruvannamalai District.

In all Crl.O.Ps.

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For Petitioners : Mr.S.B.Viswanathan
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

C O M M O N O R D E R

These petitions are filed for a direction to the learned Special Judge (Special court for Trial of SC/ST Act Cases), Thiruvannamalai to consider their bail applications on the same day of surrender and dispose the same on merits and in accordance with law in crime No.38 of 2022 on the file of the 1st respondent.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that though usual orders are passed by this Court, as far as this case is concerned, 46 victims have been injured and 23 vehicles are damaged and 18 houses were set to fire by the accused and the arrested accused are still in prison and the situation is also very tensed.

3.Generally, in matter concerning, the case registered in SC/ST (Prevention of Atrocities) Act, 1987, this Court directs Special Court to consider the bail applications of the accused on the same day of their surrender. However, taking into consideration, the objection made by the respondents, such an order cannot be passed.

4.In view of the above, this Court directs the petitioners to surrender and file bail applications and in the event of the petitioners surrendering, the Special Judge for exclusive trial of cases under SC and ST (Prevention of Atrocities) Act, 1987, is directed to consider the applications as expeditiously as possible.

5.With the above direction, these Criminal Original Petitions are allowed. It is made clear that by virtue of this direction, there is no bar for the respondents to secure the petitioners. The respondents are at liberty to proceed with the investigation.

Sd/-
Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

vkrr



To

1.The Special Judge
(Special court for Trial of SC/ST Act Cases), Thiruvannamalai.

2.The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District,
[Crime No.38 of 2022]

3.The Deputy Superintendent of Police,
Polur Sub Division,
Thiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

+3ccs to Mr.S.B.Viswanathan, Advocate Sr.No.14417

CRL.O.P.Nos.2639, 2396 & 2488 of 2022

SVI(CO)
RVM(21/03/2022)