



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.7753 OF 2022

1.Balakrishnan
2.Santhi

...Petitioners

Vs.

1.The State, represented by
The Deputy Superintendent of Pholice,
Namakkal District,
Namakkal.

2.The Inspector of Police,
Sendamangalam Police Station,
Namakkal District.
(Crime No.30 of 2022)

...Respondents

PRAYER : This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Principal District and Sessions Court, (Special Court SC/ST Act), Namakkal District to consider the bail application of the petitioners concerned in Crime No.30 of 2022, on the file of the Inspector of Police, Sendamangalam Police Station, Namakkal District on his surrender on the same day.

For Petitioners : Mr.S.Nedunchezhiyan

For Respondents : Mr.V.Meganathan,
Government Advocate (crl.side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the Principal District and Sessions Court, (Special Court SC, ST Act), Namakkal District to consider the bail application of the petitioners concerned in Crime No.30 of 2022, on the file of the Inspector of Police, Sendamangalam Police Station, Namakkal District on his surrender on the same day.

2.When the matter is taken up for hearing, Mr.V.Meganathan, learned Government Advocate (crl.side) would submit that the first petitioner is not an accused.



3. At this juncture, learned counsel for the petitioner seeks permission of this Court to withdraw this petition in respect of first petitioner alone.

4. 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 Court, (Special Court SC, ST Act), Namakkal District, to consider the second petitioner's bail application, preferably on the same day of her surrender in connection with Crime No.30 of 2022 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 (POA) Act, 1989. The second petitioner shall surrender before the Jurisdictional Court, within a period of fifteen days from the date of the receipt of a copy of this Order.

5. In view of the above, this Petition is allowed in respect of the second Petitioner and is dismissed as withdrawn against the first petitioner.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Principal District and Sessions Court,
(Special Court SC, ST Act), Namakkal District

2. The State, represented by
The Deputy Superintendent of Police,
Namakkal District,
Namakkal.

3. The Inspector of Police,
Sendamangalam Police Station,
Namakkal District.

4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Nedunchezhiyan, Advocate Sr.No.23570

CrI.O.P.No.7753 of 2022

JPL(CO)

RVM(06/04/2022)