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Crl.O.P. No.23571 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P No.23571 of 2022

1. Vellaiappan
2. Prakash @ Prakashraj
3. Kumaraguru
4. Guna
5. Chandru
6. Pushparaj

... Petitioners

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pondicherry.
2. The State represented by
The Sub Inspector of Police,
PCR Cell, Puducherry,
(Crime No.114/2022)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Additional Sessions Judge-II, Puducherry to consider the Bail Application that may be preferred by the petitioners in Cr.No.114 / 2022 dated 24.09.2022 on the file of the second respondent police, namely the Sub Inspector of Police, PCR Cell, Puducherry.



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For Petitioners : Mr.K.Kannadhasan

For Respondents: Mr.V.Balamurugan,
Public Prosecutor, Puducherry

ORDER

This Criminal Original Petition has been filed for a direction to direct the **Additional Sessions Judge-II, Puducherry** , to consider the petitioners' bail application on the same day of their surrender in **Crime No. 114 of 2022** on the file of the **second** 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the **learned Additional Sessions Judge-II, Puducherry**, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. **114 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 Act. The



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petitioners 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.

3. 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 petitioners 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.

4. With the above direction, this Criminal Original Petition is allowed.

28.09.2022

Internet: Yes./No
Index: Yes/no
mst

Note: Issue order copy on 28.09.2022



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To

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1. The Additional Sessions Judge-II, Puducherry
2. The Superintendent of Police,
Office of the Superintendent of Police,
Pondicherry.
3. The State represented by
The Sub Inspector of Police,
PCR Cell, Puducherry,
4. The Public Prosecutor,
Madras High Court, Chennai-104.



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V.SIVAGNANAM, J.

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