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Crl.O.P. No.25178 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P No.25178 of 2022

1. Thangamani

2. Boopalan

3. Sekar

... Petitioners

Vs.

1. State by: The Deputy Superintendent of Police,
Tiruchengode Taluk, Namakkal District,

2. The Inspector of Police,
Elachipalayam Police Station,
Crime No.137/2022

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned District Special Judge for SC/ST Act, Namakkal to consider the bail application of the petitioners on the same of their surrender itself in connection with Cr.No.137/2022 pending on the file of the Deputy Superintendent of Police, Tiruchengode Taluk, Namakkal District.

For Petitioners : Mr.C.Paraneedharan



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For Respondents: Mr.S.Santhosh
Gov. Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the **District Special Judge for SC/ST Act, Namakkal**, to consider the petitioners' bail application on the same day of their surrender in **Crime No. 137 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 District Special Judge for SC/ST Act, Namakkal**, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with **Crime No. 137 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 petitioners shall surrender before the concerned jurisdictional Court, within a



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period of fifteen days, from the date of the receipt of a copy of this Order.

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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.

18.10.2022

Index:Yes/no
mst

Note: Issue order copy on 18.10.2022

To

1.The District Special Judge for SC/ST Act,
Namakkal,

2.The The Deputy Superintendent of Police,

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Tiruchengode Taluk, Namakkal District,

3. The Inspector of Police,
Elachipalayam Police Station,

4. The Public Prosecutor,
Madras High Court, Chennai-104.



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V.SIVAGNANAM, J.

mst

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