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Crl.O.P.No.25086 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.25086 of 2022

1.Seeni @ Seenivasan
2.Susil @ Susilkumar
3.Perumal

... Petitioners

/vs/

The Inspector of Police,
Melpatti Police Station,
Gudiyatham,
Vellore District.
(Crime No.240 of 2016)

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Principal District Judge Vellore, Vellore District (Special Court for SC & ST Act) to consider the surrender and bail petition on the same day in Crime No.240 of 2016 on the file of the respondent police.

For Petitioners

... Mr.M.Sathish Kumar

For Respondent

... Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District Judge Vellore, Vellore District (Special Court for SC & ST Act) to consider the surrender and bail petition on the same day in Crime No.240 of 2016 on the file of the 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 of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Principal District Judge Vellore, Vellore District (Special Court for SC & ST Act), to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.240 of 2016 on the file of the respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. The 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.



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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. In view of the above, the Criminal Original Petition stands allowed.

17.10.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk

Note: Issue order copy on 17.10.2022



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V.SIVAGNANAM ,J.

shk

To

1. The learned Principal District Judge Vellore,
Vellore District (Special Court for SC & ST Act)
2. The Inspector of Police,
Melpatti Police Station,
Gudiyatham,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

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