



CrI.O.P.No.26892 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

CrI.O.P.No.26892 of 2022

1.Jegan
2.Elavarasan
3.Dhanakodi
4.Gunasekaran
5.Ragu @ Rashiya

...Petitioners

vs.

1. State rep. by
The Deputy Superintendent of Police
Sathyamangalam
Erode District.

2. The Inspector of Police,
Puliampatti Police Station,
Erode District.

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to direct the learned Principal District and Sessions Judge for SC/ST Cases, Erode to consider the bail application filed by the petitioners on their surrender on the same day in connection with Crime No.404 of 2022 on the file of the 2nd respondent police.



CrI.O.P.No.26892 of 2022

For Petitioners : Mr.J.Ranjith Kumar

For Respondent : Mr.S.Santhosh
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge for SC/ST Cases, Erode, to consider the bail application filed by the petitioners on their surrender on one and the same day in Crime No.404 of 2022 on the file of the 2nd 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 misuse of the stringent provision against innocent persons, there shall be a direction to the learned Principal District and Sessions Judge for SC/ST Cases, Erode, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.404 of 2022 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



Crl.O.P.No.26892 of 2022

(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.

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, this Criminal Original Petition stands allowed.

04.11.2022

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order

uma

Note: Issue order copy on 07.11.2022



WEB COPY



Crl.O.P.No.26892 of 2022

R.N.MANJULA ,J.

uma

To

1. The learned Principal District and Sessions Judge for SC/ST Cases,
Erode.
2. The Deputy Superintendent of Police
Sathyamangalam
Erode District.
3. The Inspector of Police,
Puliampatti Police Station,
Erode District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.26892 of 2022

04.11.2022