



Crl.O.P.No.27735 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.27735 of 2022

- 1.Babu
- 2.Apsara
- 3.Maboob John
- 4.Fiiose
- 5.Kadarbashaa Pasusayabu
- 6.Sharmila Babu
- 7.Babu Apthulkuthus
- 8.Shakila
- 9.Vahitha Bani
- 10.Akdhar

...

Petitioners

/vs/

- 1.The State of Tamil Nadu
Through the Assistant Commissioner/
Deputy Superintendent of Police,
Molasi Police Station, Namakkal District.

- 2.The State of Tamil Nadu
Through the Inspector of Police,
Molasi Police Station, Namakkal District.

(Crime No.110 of 2022)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Sessions Judge, SPL. Court for SC/ST (POA) Act, Namakkal to consider the bail application of the petitioners on the same day.

For Petitioners

...

Mr. Deepan Uday

For Respondents

...

Mr.S.Santhosh

Govt.Advocate (Crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the Sessions Judge, SPL. Court for SC/ST (POA) Act, Namakkal to consider the bail application of the petitioners on the same day.

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 Sessions Judge, SPL. Court for SC/ST (POA) Act, Namakkal, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.110 of 2022 on the file of the second 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 favorably.

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

Index : Yes/No
Internet : Yes/No
sms

14.11.2022

Note : Issue Order Copy on 14.11.2022

To

1.The State of Tamil Nadu
Through the Assistant Commissioner/
Deputy Superintendent of Police,
Molasi Police Station, Namakkal District.

2.The State of Tamil Nadu
Through the Inspector of Police,
Molasi Police Station, Namakkal District.
(Crime No.110 of 2022

3.The Public Prosecutor,
High Court, Madras.



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V.SIVAGNANAM ,J.

sms

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