



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.28520 of 2022

1.Anaivariya @ Kuppu

2.Kasthuri @ Shanthi Kasthuri

...

Petitioners

versus

1.The Superintendent of Police,
Office of the Superintendent of Police,
Villupuram District - 605 402.

2.The State Rep. by
The Inspector of Police,
Kedar Police Station,
Villupuram District - 605 402.
(Crime No.200 of 2022)

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Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the learned District and Sessions (Special Court for Exclusive Trial of case registered under SC/ST (POA) Act) Judge, Villupuram District, to consider the bail petition of the petitioners on the same day on their surrender in connection with the case in Crime No.200 of 2022 on the file of the respondent police.

For Petitioners : Mr.S.Gopi

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

ORDER



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This Criminal Original Petition has been filed seeking for a direction to the learned District and Sessions (Special Court for Exclusive Trial of case registered under SC/ST (POA) Act) Judge, Villupuram District, to consider the bail application filed by the petitioners on their surrender and in one and the same day in Crime No.200 of 2022 on the file of the second respondent police.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondents.

3. 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 District and Sessions (Special Court for Exclusive Trial of case registered under SC/ST (POA) Act) Judge, Villupuram District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.200 of 2022 on the file of the second respondent police 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 receipt of a copy of this order.

4. 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 appropriate orders in accordance with law.

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

22.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

Note : Issue Order Copy on 23.11.2022

sri

R.N.MANJULA, J.

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To

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- 1.The District and Sessions (Special Court for Exclusive Trial of case registered under SC/ST (POA) Act) Judge, Villupuram District.
- 2.The Superintendent of Police, Office of the Superintendent of Police, Villupuram District - 605 402.
- 3.The State Rep. by The Inspector of Police, Kedar Police Station, Villupuram District - 605 402.
4. The Public Prosecutor, Madras High Court, Chennai.

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