



Crl.O.P.No.29872 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **05.12.2022**

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.29872 of 2022

1.Renukadevi

2.Ravi

3.Santhosh

... Petitioners

Vs.

State represented by its

1. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Salem – South,
Salem.

2. The Inspector of Police,
All Women Police Station,
Salem Town,
Salem.

(Crime No.59 of 2022)

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Principal District Sessions Court for SC/ST (POA) Act cases, Salem District to consider the bail application filed by the petitioners on their surrender in connection with Crime No.59 of 2022, on the file of the 2nd respondent police on the same day.



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For Petitioners : M/s.W.Camyles Gandhi
For Respondents : Mr.S.Santhosh
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed to direct the learned Principal District Sessions Court for SC/ST (POA) Act cases, Salem District to consider the bail application filed by the petitioners on their surrender in connection with Crime No.59 of 2022, on the file of the 2nd respondent police on the same day

2.Petitioners are second, third and fourth accused in this case. The allegation against the first petitioner is that she along with her husband and son criminally intimidated the defacto complainant and caused death threat against her and scolded her in filthy language.

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 misusing the pious intention of the Parliament



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against innocent persons, there shall be a direction to the learned Principal District Session Court for SC/ST (POA) Act cases, Salem District, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.59 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.

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 petitioner 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.

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

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Index:Yes/No
Speaking/Non speaking order



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Note: Issue order copy on 06.12.2022

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G.CHANDRASEKHARAN.J.,

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To

- 1.The Principal District Session Court
for SC/ST (POA) Act cases,
Salem District.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Salem – South,
Salem.
- 3.The Inspector of Police,
All Women Police Station,
Salem Town,
Salem.
4. The Public Prosecutor,
High Court of Madras.

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