



Crl.O.P.No.30965 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.30965 of 2022

1. Madhavan

2. Kamal

3. Sakthivel

4. Sunilkumar

... Petitioners

vs.

State represented by,

1. The Deputy Superintendent of Police,
Virudhachalam,
Cuddalore District.

2. State represented by,
The Inspector of Police,
Pennadam Police Station,
Pennadam, Cuddalore District.
(Crime No.572 of 2022)

3. Raja

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., pleaded to direct the learned Special Judge/Special Sessions Court for SC and ST Cases, Cuddalore to accept the petitioners' surrender application and consider the petitioners' bail application on the same day



Crl.O.P.No.30965 of 2022

in connecting with Crime No.572 of 2022 on the file of the Inspector of Police, Pennadam Police Station, Pennadam, Cuddalore District.

For Petitioners : Mr.C.Prakasam
For R1 & R2 : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Special Judge/Special Sessions Court for SC and ST Cases, Cuddalore to accept the surrender of the petitioners in connection with the Crime No.572 of 2022 on the file of the second respondent police and to consider the petitioners' bail application 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 Special Judge/Special Sessions Court for SC and ST Cases, Cuddalore to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.572 of 2022 on



Crl.O.P.No.30965 of 2022

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.

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.

15.12.2022

Index: Yes/No
Internet: Yes/No
ham



WEB COPY



Crl.O.P.No.30965 of 2022

G.CHANDRASEKHARAN, J.

ham

To

1. The Special Judge/Special Sessions Court for SC and ST Cases,
Cuddalore .
2. The Deputy Superintendent of Police,
Virudhachalam,
Cuddalore District.
3. The Inspector of Police,
Pennadam Police Station,
Pennadam, Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.30965 of 2022

15.12.2022