



Crl.O.P.No.31518 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

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1. Dinesh @ Dinesh Babu Sengottaiyan
2. Rajesh @ Rajeshkumar Ramasamy
3. Sathish @ Sathish Govindaraju
4. Palanivel @ Palanivel Athiyappan
5. Selvam @ Selvam Sabapathy
6. Govindharaj @ Govindharaj Sabapathy

... Petitioners

/vs/

1. The Deputy Superintendent of Police,
Namakkal District,
Namakkal.
2. The State Represented by,
The Sub-Inspector of Police,
Belukurichi Police Station,
Namakkal.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Special Court for trial of Cases under SC & ST (Prevention of Atrocities) Act, 1989 Namakkal to consider the bail application of the petitioner's on the same day of their surrender in Crime No.508 of 2020 on the file of the respondent police.



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For Petitioners ... Mr.V.P. Sengottuvel
For Respondents ... Mr.S.Santhosh
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the Special Court for trial of Cases under SC & ST (Prevention of Atrocities) Act, 1989 Namakkal to consider the bail application of the petitioner's on the same day of their surrender in Crime No.508 of 2020 on the file of the 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 misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Court for trial of Cases under SC & ST (Prevention of Atrocities) Act, 1989 Namakkal, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.508 of 2020 on the file of the second respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under



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Section 15-A of the SC/ST (POA) Act, 1989. The petitioner 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 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.

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

21.12.2022

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

Sma

G.CHANDRASEKHARAN, J.



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WEB COPY To

1. The Deputy Superintendent of Police,
Namakkal District,
Namakkal.
2. The Sub-Inspector of Police,
Belukurichi Police Station,
Namakkal.
3. The Public Prosecutor,
High Court, Madras.

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