



WEB COPY



Crl.O.P.No.31469 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.31469 of 2022

1. Kumar
2. Vijayakanth
3. A.Ajith
4. M.Anandh
5. R.Annadurai
6. K.Balasubramaniyan
7. Ganesh
8. Mahadevan
9. Rajendiran
10. Mani Maran
11. Baskar
12. Elavazhagan
13. Thirumalai
14. Ramesh
15. K.Chinnadurai
16. Kumarasu

... Petitioners

/vs/

The State Represented by,
The Inspector of Police,
Pennadam Police Station,
Cuddalore District.
Crime No.572 of 2022

... Respondent



CrI.O.P.No.31469 of 2022

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned District and Sessions Judge, SC/ST Cuddalore to consider the surrender petition and bail application of the petitioners on the same day in Crime No.572 of 2022 on the file of the respondent.

For Petitioners	...	Mr.S.Gajapathy Krishnan
For Respondent	...	Mr.S.Santhosh Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned District and Sessions Judge, SC/ST Cuddalore to consider the surrender petition and bail application of the petitioners on the same day in Crime No.572 of 2022 on the file of the respondent.

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 District and Sessions Judge, SC/ST Cuddalore, to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No.572 of 2022 on the file of the respondent and



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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 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.

19.12.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

Sma

G.CHANDRASEKHARAN, J.



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Sma

WEB COPY To

1. The Inspector of Police,
Pennadam Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court, Madras.

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19.12.2022