



Crl.O.P.No.32430 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **28.12.2022**

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Crl.O.P.No.32430 of 2022

1. Vinoth

2. Bakkiavathi

... Petitioners

vs.

State represented by,

1. The Deputy Superintendent of Police,
Sathyamangalam,
Erode District.

2. The Inspector of Police,
Puliampatti Police Station,
Erode District.

(Crime No.370 of 2022)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District and Sessions Judge for SC/ST Act Cases, Erode, to consider the bail application filed by the petitioners on their surrender in connection with Crime No.370 of 2022 on the file of the second respondent Police on the same day.



Crl.O.P.No.32430 of 2022

For Petitioners : Mr.J.Ranjithkumar

For Respondents : Mr.L.Baskaran

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Sessions Judge for SC/ST Act Cases, Erode, to consider the petitioners' bail application in Crime No.370 of 2022 on the file of the second respondent police, 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 Principal District and Sessions Judge for SC/ST Act Cases, Erode, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.370 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



CrI.O.P.No.32430 of 2022

receipt of a copy of this Order.

WEB COPY

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.

28.12.2022

Index: Yes/No
Internet: Yes/No
ham



WEB COPY



Crl.O.P.No.32430 of 2022

A.A.NAKKIRAN, J.

ham/sp

To

1. The Principal District and Sessions Court for SC/ST Act Cases,
Erode.
2. The Deputy Superintendent of Police,
Sathyamangalam,
Erode District.
3. The Inspector of Police,
Puliampatti Police Station,
Erode District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.32430 of 2022

28.12.2022