



Crl.O.P.No.32448 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.32448 of 2022

1. Babu @ Ramesh Babu
 2. Kujjamma
 3. Madevi @ Madevamma
- ... Petitioners

VS.

1. The State represented by its
The Deputy Superintendent of Police,
Denkanikottai,
Krishnagiri District.
 2. The Inspector of Police,
Thally Police Station,
Krishnagiri District.
(Crime No.278 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, Krishnagiri, Krishnagiri District to consider and pass orders on the petitioners' bail application on the same day of their surrender in connection



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with the Crime No.278 of 2022 pending on the file of the second respondent

Police.

For Petitioners : Mr.E.Kannadasan

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, Krishnagiri, to consider the petitioners' bail application in Crime No.278 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, Krishnagiri, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.278 of 2022 on the file of the second respondent and pass appropriate orders in accordance with law, after affording due



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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.

28.12.2022

Index: Yes/No
Internet: Yes/No
ham



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A.A.NAKKIRAN, J.

ham/sp

To

1. The Principal District and Sessions Judge,
Krishnagiri.
2. The Deputy Superintendent of Police,
Denkanikottai,
Krishnagiri District.
3. The Inspector of Police,
Thally Police Station,
Krishnagiri District.
4. The Public Prosecutor,
High Court, Madras.

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