



CrI.O.P.No.193 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.193 of 2023

1.Sowmiya
2.Sivakumar
3.Geetha
4.Praveen @ Praveenkumar ... Petitioners

/vs/

1.The Assistant Commissioner of Police,
O/o. Assistant Commissioner of police,
Thirumangalam, Chennai.
2.The Inspector of Police,
V-5, Thirumangalam Police Station,
Chennai. ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Court of Sessions At Chennai, to accept the surrender petition filed by the petitioners and on the same day consider the bail application in Crime No.327 of 2022 pending on the file of the Inspector of Police, Thirumangalam Police Station, Chennai District, the second respondent.

For Petitioners ... Mr.P.Muthamizh Selvakumar
For Respondents ... Mr.S.Santhosh,
Government Advocate (crl.side)



Crl.O.P.No.193 of 2023

ORDER

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This Criminal Original Petition has been filed seeking for a direction to the Court of Sessions, Chennai, to accept the surrender petition filed by the petitioners and on the same day consider the bail application in Crime No.327 of 2022 pending on the file of the second 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 Court of Sessions, Chennai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.327 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 receipt of a copy of this Order.



CrI.O.P.No.193 of 2023

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 disposed of.

05.01.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk

To

1.The Assistant Commissioner of Police,
O/o. Assistant Commissioner of police,
Thirumangalam, Chennai.

2.The Inspector of Police,
V-5, Thirumangalam Police Station,
Chennai.

3.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.193 of 2023

G.CHANDRASEKHARAN, J.

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Crl.O.P.No.193 of 2023

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