



Crl.O.P.No.3116 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3116 of 2023

1.Ragupathi
2. Venkatesan

... Petitioners

/vs/

1. The Deputy Superintendent of Police,
Vazhapadi, Salem District.
Crime No.54 of 2023.

2. The Inspector of Police,
Vazhapadi, Salem District.
Crime No.54 of 2023.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Salem to consider the bail application on the same day.

For Petitioners

... Mr.R.Nalliyappan

For Respondents

... Mr.S.Santhosh
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the Principal Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Salem to consider the bail application 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 Sessions Judge and Special Judge for Prevention of SC & ST Atrocities Act, Salem to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.54 of 2023 registered for the offence under Sections 294(b), 324, 506(2) IPC read with Section 3(1)(r) and 3(2)(va) of SC/ST Prevention of Atrocities Act, 1989 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



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Order.

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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.

10.02.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

Sma

G.CHANDRASEKHARAN, J.



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To

1. The Deputy Superintendent of Police,
Vazhapadi, Salem District.
2. The Inspector of Police,
Vazhapadi, Salem District.
3. The Public Prosecutor,
High Court, Madras.

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