



WEB COPY



Crl.O.P.No.3477 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3477 of 2023

1.Gnanavel

2.Selvam @ Selvaraj

3.Kenny @ Dinesh Kumar

... Petitioners

VS

1.The State Rep by
The Deputy Superintendent of Police,
Gudiyatham Sub-Division.
Vellore District.

2.The Inspector of Police
Paradarmai Police Station,
Vellore District.
(Crime No.11 of 2023)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to consider the bail application of the petitioner's on the same day in the event of their surrender before the learned Principal District and Session Judge, Vellore in connection with Crime No.11 of 2023 on the file of respondent herein.



Crl.O.P.No.3477 of 2023

For Petitioners : Mr.T.Muruganantham

For Respondents : Mr.S.Santhosh

Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District and Session Judge, Vellore to consider the bail application on the same day in connection with Crime No.11 of 2023 on the file of the Inspector of Police, Paradarmai Police Station, Vellore District.

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 learned Principal District and Session Judge, Vellore, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.11 of 2023 registered for the offences under Sections 147, 148 & 324 of IPC read with Section 3(1)(r), 3(1)(s) & 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 on the file of the



Crl.O.P.No.3477 of 2023

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.

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.

15.02.2023

Index: Yes/No

Speaking/Non speaking order

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Crl.O.P.No.3477 of 2023

G.CHANDRASEKHARAN, J.

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To

- 1.The State Rep by
The Deputy Superintendent of Police,
Gudiyatham Sub-Division.
Vellore District.
- 2.The Inspector of Police
Paradarmai Police Station,
Vellore District.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.3477 of 2023



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