



Crl.O.P.No.3532 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3532 of 2023

- 1.Pwlinraj @ Pauline Raj
2. Loorthuraj @ Lourduraj

... Petitioners

/vs/

1. The Deputy Superintendent of Police (DSP),
Polur Sub-Division,
Thiruvannamalai District.
2. The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Principal District Sessions Judge, Thiruvannamalai Special Court for SC/ST POA Cases) to consider the bail petition of the petitioners on the same day in the event of surrender by the petitioners and seeks bail in Crime No.433 of 2022 pending on the file of the Inspector of Police, Kadaladi Police Station, Thiruvannamalai District.

For Petitioners

... Mr.S.Silambuselvan



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For Respondents

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to the Principal District Sessions Judge, Thiruvannamalai Special Court for SC/ST POA Cases) to consider the bail petition of the petitioners on the same day in the event of surrender by the petitioners and seeks bail in Crime No.433 of 2022 pending on the file of the Inspector of Police, Kadaladi Police Station, Thiruvannamalai 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 Principal District Sessions Judge, Thiruvannamalai Special Court for SC/ST POA Cases) to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.433 of 2022 registered for the offences under Sections 147, 341, 294(b), 323, 384, 427, 506(ii) of IPC read with Section 3(1)(s), 3(2)(va) of SC/ST



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(Prevention of Atrocities) Act, 2015 read with Section 3(1) of TNPPDL

ACT 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 petitioner 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 petitioner 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.

16.02.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
Sma

G.CHANDRASEKHARAN, J.



WEB COPY

To

1. The Deputy Superintendent of Police (DSP),
Polur Sub-Division,
Thiruvannamalai District.
2. The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.



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