



Crl.O.P.No.5980 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.5980 of 2023

1. Kejalakshmi
2. Uma Maheswari
3. Babu
4. Devanathan
5. Varadharaj

... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
Kallakurichi Sub-Division,
Kallakurichi.

2. The State Represented by
Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
(Crime No.104 of 2023)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C to direct the learned Sessions Judge, SC/ST Court, Villupuram to consider the bail application of the petitioner to be filed before the said Court on the same day on Crime No.104 of 2023 pending on the file of the Respondent Police.



Crl.O.P.No.5980 of 2023

For Petitioners ... Mr.D.Prasanth
For Respondents ... Mr.S.Santhosh
Government Advocate (Crl.side)

WEB COPY

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Sessions Judge, SC/ST Court, Villupuram to consider the bail application of the petitioners to be filed before the said Court on the same day on Crime No.104 of 2023 pending on the file of the Respondent Police.

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 Sessions Judge, SC/ST Court, Villupuram, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.104 of 2023 on the file of the Respondent Police 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



Crl.O.P.No.5980 of 2023

a copy of this Order.

WEB COPY

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.

16.03.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

mn



WEB COPY



Crl.O.P.No.5980 of 2023

G.CHANDRASEKHARAN, J.

mn

To

1. The Sessions Judge, SC/ST Court, Villupuram.
2. The Deputy Superintendent of Police,
Kallakurichi Sub-Division,
Kallakurichi.
3. The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.5980 of 2023

16.03.2023