



Crl.O.P.No.6452 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.6452 of 2023

1. Prakash
2. Priyanka
3. Vairam
4. Pritha

... Petitioners

/vs/

1. The Deputy Superintendent of Police,
Cuddalore District.
2. The State Represented by its,
The Inspector of Police,
Killai Police Station,
Cuddalore District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Special Court for the Exclusive Trial of SC and ST (POA) Act Cases, Cuddalore to accept the surrender of the petitioners and consider the petitioners bail application on the same day in Crime No.14 of 2023 on the file of the respondent police.

For Petitioners

... Mr.T.Gobinath

For Respondents

... Mr.S.Santhosh (For R1 & R2)
Government Advocate (crl.side)

ORDER



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This Criminal Original Petition has been filed seeking direction to the learned Special Court for the Exclusive Trial of SC and ST (POA) Act Cases, Cuddalore to accept the surrender of the petitioners and consider the petitioners bail application on the same day in Crime No.14 of 2023 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 Special Court for the Exclusive Trial of SC and ST (POA) Act Cases, Cuddalore to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.14 of 2023 registered for the offence under Sections 294(b), 323, 452, 417, 376, 312, 509 & 506(ii) of IPC and Section 67 of Information Technology Act 2000 read with Section 3(2)(va), 3(1)(b), 3(1)(r) of SC/ST (POA) Act, 2015 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



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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.

23.03.2023

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



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G.CHANDRASEKHARAN, J.

Sma

To

1. The Deputy Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
Killai Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.

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