



Crl OP No.7199 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No. 7199 of 2023

1.Parvathi

2.Sivagami

3.Devaki

4. Chandru

5. Ananthan @ Ananth

... Petitioners

Versus

1. State Rep by,
The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Manimangalam, Tambaram City.

2. The Inspector of Police,
Manimangalam Police Station,
Tambaram City.

3. Alamelu

... Respondents



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PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the learned Principal District and Sessions Judge, Special Court for SC/ST (POA) Cases, Chengalpattu to accept the surrender of the petitioners and consider their bail application on the same day in Crime No.416/2022, pending on the file of the 2nd respondent.

For Petitioners	:	Mr. M.Vijaya Ragavan
For Respondents 1 & 2	:	Mr. S.Santhosh Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge, Special Court for SC/ST (POA) Cases, Chengalpattu to consider the bail application of the petitioners on their surrender in connection with Crime No.416 of 2022 on the file of the respondent police on the same day.



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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 facts of the case, there shall be a direction to the learned Principal District and Sessions Judge, Special Court for SC/ST (POA) Cases, Chengalpattu to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.416 of 2022 registered for the offence under Sections 294(b), 448, 324, 506(ii) and 307 of IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 3 (1) (x), 3(1)(xi), 3 (1)(r) and 3(2)(va) of Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989, on the file of the 2nd respondent and pass appropriate orders in accordance with law. 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.



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3. The petitioners shall surrender before the concerned Jurisdictional Court, within a period of fifteen days from the date of receipt of a copy of this Order, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989.

4. In view of the above, the Criminal Original Petition stands allowed. No costs.

31.03.2023

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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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To

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SUNDER MOHAN, J

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