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Crl.O.P.No.7924 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7924 of 2023

1.A.Arun

2.K.Ganesh Kumar

3.P.Kabilan

... Petitioners

Vs.

1.The Superintendent of Police (West),
Office of the Superintendent of Police,
Villiyannur,
Pondicherry.

2.The State rep. by
The Sub-Inspector of Police,
Nettapakkam Police Station,
Puducherry.
(Crime No.137 of 2022)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to direct the II Additional District and Sessions Judge, Puducherry, to consider the bail application on the same day of surrender of the petitioners concerned in Crime No.137 of 2022 on the file of the 2nd respondent police.

For Petitioners : Mr.P.Veeraraghavan



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For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the II Additional District and Sessions Judge, Puducherry, to consider the bail application on the same day of surrender of the petitioners concerned in Crime No.137 of 2022 on the file of the 2nd 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 facts of the case, there shall be a direction to the learned II Additional District and Sessions Judge, Puducherry to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.137 of 2022 registered for the offence under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 149 of IPC read with Section 4 (1) (u) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on the file of the second 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



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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 the 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.

12.04.2023

Index :Yes/No
Internet:Yes/No
Neutral Citation Case: Yes/No
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To

1.The Superintendent of Police (West),
Office of the Superintendent of Police,
Villiyannur,
Pondicherry.

2.The State rep. by
The Sub-Inspector of Police,
Nettapakkam Police Station,
Puducherry.

3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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