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Crl OP No.10838 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.05.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No. 10838 of 2023

1. B.Sebastian
2. B.Periyanayagam
3. B.Paulraj

... Petitioners

Versus

The State rep by,
The Inspector of Police,
Thirupalaivanam Police Station,
Thiruvallur District.
Crime No.79 of 2023.

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the District and Sessions Court, Tiruvallur (Special Judge for SC & ST Act) to consider the petitioner's surrender and pass appropriate orders on the bail application to be filed by the petitioners on the same day itself in connection with the Crime Number 79 of 2023 on the file of Thirupalaivanam Police Station, Thiruvallur District.



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For Petitioners : Mr. S.Magimai Raj
For Respondent : Mr. S.Balaji
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking direction to the learned District and Sessions Court, Tiruvallur (Special Judge for SC & ST Act) to consider the bail application proposed to be filed by the petitioners on their surrender in connection with Crime No.79 of 2023 on the file of the respondent police on the same day.

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 Special Court for S.C & S.T Act Cases, Tiruvallur to consider the petitioners' bail application on the same day of their surrender in connection with ***Crime No.79 of 2023***



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registered for the offence under **Sections 341, 294(b), 324 of IPC**
and Sections 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities)

Act, 1989 on the file of the 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.

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. No costs.

10.05.2023

drl

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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To

- 1.The Special Judge for SC & ST Act,
The District and Sessions Court,
Tiruvallur.
2. The Inspector of Police,
Thirupalaivanam Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

drl

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