



CRL.O.P.No.11392 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.05.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A. NAKKIRAN

CRL.O.P.No.11392 of 2023

1.Vinayagam,
2.Arasumani,
3.Govindhammal,
4.Gokula Kannan @ Gokul

... Petitioners

Vs.

1.The State rep. by its
Inspector of Police,
Periyathachur Police Station,
Villupuram - 604 306.
(Crime No.109 of 2023)

2.Divyabarathi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court of SC/ST Court, Villupuram, to consider the bail application of the petitioner in Crime No.109 of 2023 on the same day.

For Petitioner : Mr.L. Inpant Dinesh

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (crl.side)

ORDER

Page 1 of 4



CRL.O.P.No.11392 of 2023

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This petition is filed for a direction to Special Court of SC/ST Court, Villupuram, to consider the petitioners' bail petition on the same day on her surrender in connection with Crime No.109 of 2023, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 Special Court of SC/ST Court, Villupuram, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No. 109 of 2023 and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15(a) of the SC/ST Act. 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.



CRL.O.P.No.11392 of 2023

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. With the above direction, the Criminal Original Petition stands allowed.

17.05.2023

Lbm

Internet:Yes

Index:Yes/no

Speaking/Non speaking order

A.A. NAKKIRAN, J.

Lbm

To

Page 3 of 4



CRL.O.P.No.11392 of 2023

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- 1.The Special Court of SC/ST Court, Villupuram,
- 2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.11392 of 2023

17.05.2023