



WEB COPY



CrI.O.P.No.13011 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 12.06.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN**

**CrI.O.P.No.13011 of 2023**

1. D.Udayakumar

2.Illavarasi

3. Chithra @ Jayachithra

... Petitioners

/vs/

1. The State Rep by,  
The Deputy Superintendent of Police,  
Cheyyar,  
Tiruvannamalai District.

2. The Inspector of Police,  
Anakkavoor Police Station,  
Tiruvannamalai District.

3.N.Selvaraj

... Respondents

**Prayer :** Criminal Original Petition has been filed under Section 482 of Cr.P.C. to issue direction to the learned Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Tiruvannamalai District to consider on the same day, the bail application of the petitioners on their surrender in connection with Crime Number 176 of 2023 on the file of the second respondent herein.



Crl.O.P.No.13011 of 2023

|                |     |                                                                  |
|----------------|-----|------------------------------------------------------------------|
| For Petitioner | ... | Mr.G.Magesh Kumar                                                |
| For R1 & R2    | ... | Mr. Leonard Arul Joseph Selvam<br>Government Advocate (crl.side) |

### **ORDER**

This Criminal Original Petition has been filed seeking direction to the learned Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Tiruvannamalai District to consider on the same day, the bail application of the petitioners on their surrender in connection with Crime Number 176 of 2023 on the file of the second respondent herein

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 for Exclusive Trial of Cases registered under SC/ST (POA) Act, Tiruvannamalai District to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.176 of 2023 registered for the offences under Sections 294(b), 506(I) IPC read with Section 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Act, 1989 on the file of the second



CrI.O.P.No.13011 of 2023

respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A 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.

**12.06.2023**

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



WEB COPY



CrI.O.P.No.13011 of 2023

**G.CHANDRASEKHARAN, J.**

Sma

To

1. The Deputy Superintendent of Police,  
Cheyyar,  
Thiruvannamalai District.
2. The Inspector of Police,  
Anakkavoor Police Station,  
Tiruvannamalai District.
3. The Public Prosecutor,  
High Court, Madras.

**CrI.O.P.No.13011 of 2023**

**12.06.2023**