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CrI.O.P.No.13289 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.13289 of 2023

1. Meiyyan
2. Chinnammal
3. Karthikeyan

... Petitioners

Vs

1. The State of Tamil Nadu,
represented by the
Deputy Superintendent of Police,
Perambalur Police Station,
Perambalur District.

2. The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.388 of 2023)

3. Arokkiyamery ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the Learned Sessions Judge, Special Court for Exclusive Trial of SC and ST cases, Perambalur to consider the application filed by the petitioners for grant of bail in the event of their surrender before the trial court and enlarge them on bail on the same day in Crime No.388 of 2023 on the file of the respondent police for the offence under Sections 147, 148, 294(b), 323, 324, 354, 427, 506(2) IPC,



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Section 4 of the Prohibition of Charging Exorbitant Interest Act, 2003, Section 4 of TN Prohibition of Harassment of Women Act, 2002 R/w Section 3(2)(va), 3(1)(w)(i), 3(1)(r) and 3(1)(s) of SC/ST Prevention of Atrocities Amendment Act 2015.

For Petitioners	...	Mr.G.Ilamurugu
For Respondents		
R1 and R2	...	Mr.Leonard Arul Joseph Selvam Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed directing the learned Sessions Judge, Special Court for Exclusive Trial of SC and ST cases, Perambalur to consider the application filed by the petitioners for grant of bail in the event of their surrender before the trial court and enlarge them on bail on the same day in Crime No.388 of 2023 on the file of the respondent police for the offence under Sections 147, 148, 294(b), 323, 324, 354, 427, 506(2) IPC, Section 4 of the Prohibition of Charging Exorbitant Interest Act, 2003, Section 4 of TN Prohibition of Harassment of Women Act, 2002 R/w Section 3(2)(va), 3(1)(w)(i), 3(1)(r) and 3(1)(s) of SC/ST Prevention of Atrocities Amendment Act 2015.

2. In view of the specific bar under Section 18 of the Scheduled Castes and



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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 learned Sessions Judge, Special Court for Exclusive Trial of SC and ST cases, Perambalur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.388 of 2023 pending on the file of the second respondent police 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.



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4. In view of the above, the Criminal Original Petition stands allowed.

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Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order
mn



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- To
1. The Sessions Judge, Special Court for Exclusive Trial of SC and ST cases,
Perambalur
 2. The Deputy Superintendent of Police,
Perambalur Police Station,
Perambalur District.
 3. The Inspector of Police,
Perambalur Police Station,
Perambalur District.
 4. The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.

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