



WEB COPY



Crl.O.P.No.13296 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13296 of 2023

1.Arulselvan

2.Selvakumar

3.Ganesan

4.Dhanalakshmi

5.Anjalai

6.Mahalakshmi

7.Gunaseelan

8.Pazhanivel @ Palanisamy
Vs

... Petitioners

1.The Deputy Superintendent of Police,
Neyvelli Division, Neyvelli,
Cuddalore District.

2.The State rep. By
The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
(Crime No.54 of 2023)



CrI.O.P.No.13296 of 2023

3. Anandhi

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore to consider the bail application filed by the petitioner in connection with Crime No.54 of 2023 on the file of Inspector of Police, Oomangalam Police Station, Cuddalore District on the same day their surrender.

For Petitioners : Mr.M.Selvam

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (crl.side)
(For R1 and R2)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Principal District Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore, to consider the bail application filed by the petitioners on their surrender in connection with Crime No.54 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 possibility of misusing the pious intention



CrI.O.P.No.13296 of 2023

of the Parliament against innocent persons, there shall be a direction to the

the learned Principal District Sessions Judge cum Special Judge for SC/ST

Act cases, Cuddalore, to consider the petitioners' bail application,

preferably on the same day of their surrender in connection with Crime

No.54 of 2023 registered for the offences under Sections 147, 148, 294 (b),

323, 324 and 506 (2) IPC read with Section 3 (1) (r), 3 (1) (s) and 3 (2)

(va) of The Schedule Caste and the Schedule Tribes (Prevention of

Atrocities) Amendment Act, 2015, and Section 4 of TN Prohibition of

Harassment of Women Act, 2002, on the file of the 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



Crl.O.P.No.13296 of 2023

favourably.

WEB COPY

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

15.06.2023

Index: Yes/No

Speaking/Non speaking order

ep



WEB COPY



CrI.O.P.No.13296 of 2023

To

- 1.The Deputy Superintendent of Police,
Neyvelli Division, Neyvelli,
Cuddalore District.
- 2.The State rep. By
The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.13296 of 2023

G.CHANDRASEKHARAN, J.

ep

Crl.O.P.No.13296 of 2023



WEB COPY



CrI.O.P.No.13296 of 2023

15.06.2023