



WEB COPY



Crl.O.P.No.13307 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13307 of 2023

1. K.Sathiyamarayanan @ Sathiya

2. Subashini

... Petitioners

/vs/

1. The State Rep. By its,
The Deputy Superintendent of Police,
Polur,
Tiruvannamalai District.

2. Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Principal District and Sessions Judge cum Special Judge for SC/ST Cases, Tiruvannamalai to consider and pass order on the petitioners bail application in connection with the Crime No.200 of 2023 on the file of the 2nd Respondent Police on their surrender.

For Petitioners

... M/s.E.Sathiyaraj

For R1 & R2

... Mr. Leonard Arul Joseph Selvam
Government Advocate (crl.side)



Crl.O.P.No.13307 of 2023

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge cum Special Judge for SC/ST Cases, Tiruvannamalai to consider and pass order on the petitioners bail application in connection with the Crime No.200 of 2023 on the file of the 2nd Respondent Police on their surrender.

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 Principal District and Sessions Judge cum Special Judge for SC/ST Cases, Tiruvannamalai to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No.200 of 2023 registered for the offences under Sections 294(b) of IPC read with Section 3(1)(r) of The Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act on the file of the second 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



Crl.O.P.No.13307 of 2023

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.

16.06.2023

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



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Crl.O.P.No.13307 of 2023

G.CHANDRASEKHARAN, J.

Sma

To

1. The Deputy Superintendent of Police,
Polur,
Tiruvannamalai District.
2. Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.13307 of 2023

16.06.2023