



Crl.O.P.No.13675 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 20.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13675 of 2023

1. Prasanth
2. Kolanji
- 3.Gurusamy

... Petitioners

/vs/

1. The Deputy Superintendent of Police,
Ulundurpet,
Kallakurichi District.

2. The State Rep. By,
Inspector of Police,
Ulundurppet Police Station,
Kallakurichi District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram to consider the bail application of the petitioners herein on the same day of surrender pertaining to the Crime No.324 of 2023 on the file of the Ulundurpet Police Station, Kallakurichi District.

For Petitioners

... M/s.B.Abdul Samath

For R1 & R2

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



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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, Villupuram to consider the bail application of the petitioners herein on the same day of surrender pertaining to the Crime No.324 of 2023 on the file of the Ulundurpet Police Station, Kallakurichi District.

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 learned Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.324 of 2023 registered for the offences under Sections 147, 294(b), 323 and 506(1) of IPC read with Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Prevention of Atrocities Amendment Act, 2015 read with Section 109 of IPC on the file of the second respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under



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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, this Criminal Original Petition stands allowed.

20.06.2023

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



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G.CHANDRASEKHARAN, J.

Sma

To

1. The Deputy Superintendent of Police,
Ulundurpet,
Kallakurichi District.
2. Inspector of Police,
Ulundurppet Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

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