



Crl.O.P.No.13851 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

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- 1.Rani
- 2.Karpagam @ Karbagavalli
- 3.Sudha
- 4.Jayalakshmi @ Dhanalakshmi
- 5.Mahalakshmi
- 6.Venkatesan
- 7.Uthirapathi
- 8.Sarath Kumar
- 9.Sathish Kumar
- 10.Sabari @ Sabarirajan
- 11.Poovarasan
- 12.Mohan @ Moganraj
- 13.Dhayalan @ Thayalau



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14.Silambarasan

15.Jiva @ Jeeva

16.Sundaraj @ Suntharajan

17.Dinesh Kumar @ Thenesh Kumar

... Petitioners

Vs

The State Rep by
Inspector of Police
Kurinjipadi Police Station,
Cuddalore District

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the learned Sessions Judge (Special Judge for SC/ST Prevention of Atrocities Act), to accept the surrender of the petitioners herein concerned in Crime No.65 of 2023 on the file of the Inspector of Police, Kurinjipadi Police Station, Cuddalore District and consider their bail application on the same day itself.

For Petitioners : Mr.S.Sivakumar

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Sessions Judge (Special Judge for SC/ST Prevention of Atrocities Act), to consider the bail application filed by the petitioners on



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their surrender in connection with Crime No.65 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 of the Parliament against innocent persons, there shall be a direction to the learned Sessions Judge (Special Judge for SC/ST Prevention of Atrocities Act), to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.65 of 2023 registered for the offences under Sections 147, 148, 294 (b), 323, 324, 506 (2) I.P.C. r/w Section 3 (1) (r) and 3 (1) (s) of The Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, 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.



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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.

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Index: Yes/No
Speaking/Non speaking order
ep



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G.CHANDRASEKHARAN, J.

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To

1. Inspector of Police
Kurinjipadi Police Station,
Cuddalore District.
2. The Public Prosecutor,
High Court, Madras.

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