



WEB COPY



Crl.O.P.No.14417 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.14417 of 2023

1.Balu

2.Muthulakshmi

3.Michale

Vs

... Petitioners

1.Assistant Commissioner of Police,
Kanathur,
Tambaram.

2.The State of Tamilnadu rep,
By the Inspector of Police,
Kelambakkam Police Station,
Pallikaranai.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the learned Principal District Sessions Judge, Chengalpattu (Special Court for SC/ST Act Cases) to consider the bail petition of the petitioners on the same day in the event of surrender by the petitioners and seeks bail in Crime No.166 of 2023 pending on the file of the Inspector of Police, Kelambakkam Police station, Pallikaranai.

For Petitioner ... Mr.M.Jaisingh



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For Respondents ... Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.side)

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ORDER

This Criminal Original Petition has been filed directing the learned learned Principal District Sessions Judge, Chengalpattu (Special Court for SC/ST Act Cases), to consider the bail application filed by the petitioners on their surrender in connection with Crime No.166 of 2023 registered for the offences under Sections 294(b), 506(2), 324 of IPC r/w Sections 3(1) (r), 3(1)(s), 3(2)(w) (i) and 3 (2) (va) of the SC/ST (Prevention of Atrocities) Amendment Act, 2015, on the file of the second 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 learned Principal District Sessions Judge, Chengalpattu (Special Court for SC/ST Act Cases), to consider the petitioner's bail application, in connection with Crime No.166 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



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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.

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

28.06.2023

Index: Yes/No
Speaking/Non speaking order
ep



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G.CHANDRASEKHARAN, J.

ep

To

- 1.The Principal District Sessions Judge, Chengalpattu
(Special Court for SC/ST Act Cases)
- 2.Assistant Commissioner of Police,
Kanathur,
Tambaram.
- 3.The State of Tamilnadu rep,
By the Inspector of Police,
Kelambakkam Police Station,
Pallikaranai.
- 4.The Public Prosecutor,
High Court, Madras.

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