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CrI.OP.No.11174 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE **K.KUMARESH BABU**

CrI.OP.No.11174 of 2024

1. Dinesh
2. Babuji

...Petitioners

Vs.

1. State rep. by
The Deputy Superintendent of Police,
Sirkazhi, Mayiladuthurai District

2. The State, represented by
Inspector of Police
Anaikaranchathiram Police Station,
Mayiladudurai District
(Cr.No.110 of 2024)

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the learned Principal District and Sessions Judge, Nagapattinam (Special Judge for SC/ST Act cases) to consider the petitioners' bail application to be filed on the same day on their surrender in Crime No.110 of 2024 pending investigation on the file of the 2nd Respondent.

For petitioners ... M/s.R.Parthiban

For Respondents ... Mr.L.Baskaran
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking for a direction to Principal District and Sessions Judge, Nagapattinam (Special Judge for SC/ST Act Cases), to consider the bail application of the petitioners on the same day on merits of their surrender in connection with Crime No.110 of 2024 on the file of the 2nd respondent police.

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 Principal District and Sessions Judge, Nagapattinam (Special Judge for SC/ST Act cases), to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.110 of 2024 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 petitioners shall surrender before the concerned Jurisdictional Court, within a period of fifteen days from the



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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. With the above direction, this Criminal Original Petition stands disposed of.

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K.KUMARESH BABU. J.



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To

1. The Principal District and Sessions Judge,
Nagapattinam
(Special Judge for SC/ST Act cases)
2. The Deputy Superintendent of Police,
Sirkazhi,
Mayiladuthurai District
3. The Inspector of Police
Anaikaranchathiram Police Station,
Mayiladudurai District
4. The Public Prosecutor,
High Court of Madras.

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