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Crl.OP.No.12406 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2024

CORAM

THE HONOURABLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12406 of 2024

1. Varadharajan

2. Lenin

3. Punnagi @ Punnagai

... Petitioners

Vs.

State by

Inspector of Police

Ramanatham Police Station

Cuddalore District

(Crime No.103 of 2024)

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Learned Principal District & Sessions Judge (Special Court under SC & ST Atrocities Act) at Cuddalore, Cuddalore District to accept the surrender of the petitioners herein concerned in Crime No.103 of 2024 on the file of Inspector of Police, Ramanatham Police Station, Cuddalore District and consider the bail petition on the same day itself.

For Petitioners

: Mr.S.Manikandan

For Respondents

: Mr.S.Vinoth Kumar

Government Advocate(Crl.side)



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ORDER

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This Criminal Original Petition has been filed seeking for a direction to learned Principal District & Sessions Judge (Special Court under SC & ST Atrocities Act), Cuddalore to consider the petitioners' bail application on the same day of their surrender in Crime No.103 of 2024 on the file of the respondent police.

2. The petitioner has been arrayed as an accused in Crime No.103 of 2024 for the offences punishable under Sections 294(b), 506(ii) of IPC r/w Section 3(i)(r), 3(i)(s) of SC/ST (Prevention of Atrocities), 1989.

3. 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Principal District & Sessions Judge (Special Court under SC & ST Atrocities Act), Cuddalore to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.103 of 2024 on the file of the



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respondent and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. 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.

4. 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.

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

24.05.2024

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
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C.SARAVANAN, J.

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To

- 1.The Learned Principal District & Sessions Judge
(Special Court under SC & ST Atrocities Act),
Cuddalore District
2. The Inspector of Police
Ramanatham Police Station
Cuddalore District
- 3.The Public Prosecutor,
High Court of Madras, Chennai.

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