



Crl.OP.No.12465 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.12465 of 2024

- 1.Arun Kumar
- 2.Santhanakumar
- 3.Eswaran
- 4.Rajendran

... Petitioners

Vs.

1. The Deputy Superintendent of Police,
Palladam Sub-Division,
Tiruppur District.

2. The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
Crime No.328 of 2023.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Special Court for Exclusive Trial of cases for SC & ST Act cases, Tiruppur to consider the bail application of the petitioners on the date of surrender before the Court in connection with Crime No.328 of 2023 on the file of the 2nd respondent police.

For Petitioner

: Mr.K.Sudhakar

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 Special Judge for Exclusive Trial of cases for SC & ST Act cases, Tiruppur to consider the petitioners' bail application on the same day of their surrender in Crime No.328 of 2023 on the file of the second respondent police.

2. The petitioners have been arrayed as accused in Crime No.328 of 2023 for the offences punishable under Sections 147, 452, 323 of IPC r/w Section 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities), Amendment Act, 2015.

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 Special Judge for Exclusive Trial of Cases for SC & ST Act Cases, Tiruppur to consider the petitioners' bail application, preferably on the same day of their surrender in



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connection with Crime No.328 of 2023 on the file of the second 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
nr



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C.SARAVANAN, J.

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To

- 1.The learned Special Judge for Exclusive Trial of Cases for SC & ST Act Cases,
Tiruppur
2. The Deputy Superintendent of Police,
Palladam Sub-Division,
Tiruppur District.
3. The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
- 4.The Public Prosecutor,
High Court of Madras, Chennai.

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