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Crl.O.P.No.27272 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM

THE HONOURABLE MR.JUSTICE **M. NIRMAL KUMAR**

Crl.O.P.No.27272 of 2024

1.Vanjinathan @ Panneer Selvam

2.Akila @ Akilandeswari

... Petitioners/A2 & A6

Vs.

1.The State Rep. by

The Deputy Superintendent of Police,
Gandhiji Road, Marapalam,
Erode, Erode District – 638 001.

2.The State Rep. by

The Inspector of Police,
Bhavani Police Station,
Erode District.

(Crime No.403 of 2024)

3.P.Gowrishankar

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to direct the learned Principal District and Sessions Judge, Erode to entertain, consider and dispose of the bail application of the petitioners when they surrender before the said Court in Crime No.403 of 2024 pending on the file of 1st respondent police on the same day.

For Petitioners : Mr.D.Chandra Sekar

For Respondents-1 & 2 : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to direct the Principal District and Sessions Judge, Erode to consider the bail application on the same day of surrender of the petitioners concerned in Crime No.403 of 2024 on the file of second respondent police.

2.In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short “SC/ST (POA) Act) and also taking into consideration the facts of the case, there shall be a direction to the learned Principal District and Sessions Judge, Special Court for SC/ST Act cases, Erode to consider the petitioners' bail applications on the same day of his surrender in connection with Crime No.403 of 2024 on the file of the 2nd respondent police and pass appropriate orders in accordance with law. 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.

3.The petitioners shall surrender before the Special Court for



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SC/ST Act cases, Erode, within a period of fifteen days from the date of receipt of a copy of this order, after affording due opportunity to the victim under Section 15-A of the SC/ST (POA) Act.

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

30.10.2024

Index : Yes/No
Internet: Yes/No
Neutral Citation : Yes/No
Speaking order/Non-speaking order
rsi



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M. NIRMAL KUMAR, J.

rsi

To

- 1.The Principal District and Sessions Judge,
Special Court for SC/ST Act cases,
Erode.
- 2.The Deputy Superintendent of Police,
Gandhiji Road, Marapalam,
Erode, Erode District – 638 001.
- 3.The Inspector of Police,
Bhavani Police Station,
Erode District.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai.

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