



CrI.O.P.No.28029 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.28029 of 2024

1.Sivaraj
2.Sachin
3.Pallavi
4.Manonmani
5.Sivaranjani

... Petitioners

Vs.

1.STATE REP. BY: The Deputy Superintendent of Police,
Tiruvannamalai Rural,
Tiruvannamalai District.

2.The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Principal District and Sessions Judge cum Special Judge for SC/ST Cases, Tiruvannamalai to consider and pass order on the petitioners Bail Application in connection with the Crime No.372 of 2024 on the file of the 2nd respondent Police on their surrender.



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For Petitioners : Mr.E.Sathiyaraj
For Respondents : Mr.S.Sugendran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District and Sessions Judge cum Special Judge for SC/ST Cases, Tiruvannamalai to consider the petitioners' bail application on the same day on their surrender in Crime No.372 of 2024 pending 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 facts of the case, there shall be a direction to the learned Principal District and Sessions Judge cum Special Judge for SC/ST Cases, Tiruvannamalai to consider the petitioners' bail application on the same day of their surrender in connection with Crime No.372 of 2024 registered for the offence under Sections 191(2), 296(b), 115(2) and 351(2) of BNS and Sections 3(1)(s) & 3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 on the



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file of the 2nd respondent 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 antecedent of the petitioners and pass orders after affording due opportunity to the victim under Section 15-A of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

No costs.

08.11.2024

Index:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No

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SUNDER MOHAN, J.

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To

- 1.The Principal District and Sessions Judge
cum Special Judge for SC/ST Cases,
Tiruvannamalai.
- 2.The Deputy Superintendent of Police,
Tiruvannamalai Rural,
Tiruvannamalai District.
- 3.The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.
- 4.The Public Prosecutor,
Madras High Court.

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