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Crl.O.P.No.30479 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.12.2024**

CORAM :

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.30479 of 2024

1. K.Sathiyapriya
2. S.Duraimurugan

... Petitioners

Vs.

1. State represented by
The Deputy Superintendent of Police
Salem Rural,
Salem - 636 006

2. State represented by
The Inspector of Police
Panamarathupatti Police Station
Salem District
(Crime No.153 of 2024)

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S. to direct the Principal District Sessions Judge, Salem to accept the surrender of the petitioners and to consider their bail petitions on the same day in Crime No.153 of 2024 on the file of the 2nd respondent police.

For Petitioners : Mr.S.Sathish

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor



CrI.O.P.No.30479 of 2024

WEB COPY

ORDER

This Criminal Original Petition has been filed to direct the Principal District Sessions Judge, Salem, to accept the surrender of the petitioners and to consider their bail petitions on the same day in Crime No.153 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 facts of the case, there shall be a direction to the Principal District Sessions Judge, Salem, to consider the petitioners' bail application on the same day of their surrender in connection with ***Crime No.153 of 2024*** registered for the offence under ***Sections 296(b), 115(2) of Bharatiya Nyaya Sanhita, 2023 and Section 3(2) (va) of SC/ST (Prevention of Atrocities) Act, 1989*** on the 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 opportunity of hearing to the victim under Section 15-A of the SC/ST (POA) Act, 1989.



Crl.O.P.No.30479 of 2024

WEB COPY

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.

05.12.2024

Index :Yes/No
Internet:Yes/No
ksa-2

To

1. The Principal District Sessions Judge, Salem
2. The Deputy Superintendent of Police
Salem Rural, Salem - 636 006
3. The Inspector of Police
Panamarathupattti Police Station
Salem District
4. The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.30479 of 2024

SUNDER MOHAN,J.

ksa-2

Crl.O.P.No.30479 of 2024

05.12.2024