



Crl.O.P.(MD)No.17590 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17590 of 2024

1.Vaigairani

2.Veeraputhiran

3.Maruthayee

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Virudhunagar, Virudhunagar District.

2.The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
(Crime No.202 of 2024)

3.K.Annalakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for SC and ST Act Cases, Srivilliputhur, Virudhunagar District, to consider the bail application on the surrender of the petitioners/Accused Nos.1 to 3 on the same day in Cr.No.202 of 2024 on the file of the second respondent police on merits on the same day.



WEB COPY



Crl.O.P.(MD)No.17590 of 2024

For Petitioners : Mr.J.Jeyakumaran

For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the Special Court for SC and ST Act Cases, Srivilliputhur, Virudhunagar District to accept surrender of the petitioners and consider their bail application on the same day and merits in relating to Crime No.202 of 2024 dated 30.09.2024 on the file of the respondent police.

2.The petitioners are the accused for the offence punishable under Sections 296(b), 285, 351(2) BNS, Section 67 of the Information Technology Act, 2000 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 in Crime No.202 of 2024, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.



CrI.O.P.(MD)No.17590 of 2024

WEB COPY

3.Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.

4.The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the petitioners have uploaded some video in the youtube channel and that the petitioners are not having any previous cases.

5.The learned counsel appearing for the petitioners would submit that the petitioners have closed the youtube channel.

6.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 Special Court for SC and ST Act Cases, Srivilliputhur, Virudhunagar District, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime



CrI.O.P.(MD)No.17590 of 2024

WEB COPY

No.202 of 2024 on the file of the second respondent police 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.

7.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 favorably.

8.With the above direction, this Criminal Original Petition stands allowed.

19.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



CrI.O.P.(MD)No.17590 of 2024

To
WEB COPY

- 1.The Special Court for SC and ST Act Cases,
Srivilliputhur, Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Virudhunagar, Virudhunagar District.
- 3.The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.17590 of 2024

K.MURALI SHANKAR,J.

gns

CrI.O.P.(MD)No.17590 of 2024

19.10.2024