



Crl.O.P.No.24750 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.24750 of 2022

1.M.Sasikumar

2.M.Saravanan

...

Petitioners

/vs/

1.The State, Rep by

The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Thiruvarur, Thiruvarur District.

2.The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
(Crime No.497 of 2022)

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the 1st Additional District and Sessions Court for PCR Act Cases, Thanjavur to accept the surrender petition filed by the petitioners and on the same day consider the bail application in Crime No.497 of 2022 pending on the file of the Inspector of Police, Kodavasal Police Station, Thiruvarur District, the second respondent.

For Petitioners

...

Mr.P.Muthamizhselvakumar

For Respondents

...

Mr.S.Santhosh
Government Advocate (crl.side)



ORDER

This Criminal Original Petition has been filed seeking for a direction to the 1st Additional District and Sessions Court for PCR Act Cases, Thanjavur to accept the surrender petition filed by the petitioners and on the same day consider the bail application in Crime No.497 of 2022 pending on the file of the second respondent.

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 possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the 1st Additional District and Sessions Court for PCR Act Cases, Thanjavur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.497 of 2022 on the file of the second respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victims under Section 15-A of the SC/ST (POA) Act, 1989. 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.



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3. 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.

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

13.10.2022

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

shk

Note: Issue order copy on 13.10.2022



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V.SIVAGNANAM ,J.

shk

To

1. The 1st Additional District and Sessions Court for PCR Act Cases,
Thanjavur
2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Thiruvarur, Thiruvarur District.
3. The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
4. The Public Prosecutor,
High Court, Madras.

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