



WEB COPY



CRL.O.P.No.29039 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No. 29039 of 2022

Akash @ Brundesh

... Petitioner

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,
Kodarachery Police Station,
Thiruvarur District.
(Crime No.290 of 2022)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the I Additional District and Sessions Court for PCR Act Cases, Thanjavur to accept the surrender petition filed by the petitioner and on the same day to consider the bail application in Crime No.290 of 2022 pending on the file of the Inspector of Police, Kodarachery Police Station, Thiruvarur District/the 2nd respondent .



WEB COPY



CRL.O.P.No.29039 of 2022

For Petitioner : Mr. P.Muthamizhaselvakumar

For Respondents : Mr. S.Santhosh,
Government Advocate (Crl.side)

ORDER

This petition is filed for a direction to the I Additional District and Sessions Court for PCR Act Cases, Thanjavur , to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.290 of 2022, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 I Additional District and Sessions Court for PCR Act Cases, Thanjavur, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 290 of 2022 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 petitioner shall surrender before



CRL.O.P.No.29039 of 2022

the concerned jurisdictional Court within a period of fifteen days from the date of the receipt of a copy of this Order.

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 petitioner 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. With the above direction, the Criminal Original Petition stands disposed of.

28.11.2022

Internet:Yes

Index:Yes/no

Speaking/Non speaking order

To

1. I Additional District and Sessions Court for PCR Act Cases,
Thanjavur

2. The Public Prosecutor, High Court, Madras.

G.K.ILANTHIRAIYAN, J.

Page 3 of 4



WEB COPY



CRL.O.P.No.29039 of 2022

mrp

CRL.O.P.No.29039 of 2022

28.11.2022