



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.05.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

Crl.O.P.(MD)No.8623 of 2022

WEB COPY

1.Balaiyan

2.Sudha

... Petitioners/Accused Nos.1 & 2

-Vs-

1.State represented by

The Deputy Superintendent of Police,
Orathanadu (Sub-Division),
Thanjavur District.

2.The Inspector of Police,

Thiruvonam Police Station,
Thanjavur District.

... 1st & 2nd Respondent / Complainant

3.Tamilselvan

... 3rd Respondent / Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned I Additional District Judge (PCR), Thanjavur, Thanjavur District to accept the surrender of the petitioners and consider the bail application on merits on the date of their surrender in Crime No.176/2022 on the file of the second respondent police on the very same day.

For Petitioners : Mr.M.Pitchai Muthu

For R1 & R2 : Mr.M.Muthumanikkam

Government Advocate (Crl. Side)

ORDER

This petition is filed for a direction to the learned I Additional District Judge (PCR), Thanjavur, Thanjavur District, to consider the bail petition of the petitioners on the same day of surrender and dispose the same on merits and in accordance with law in Crime No.176 of 2022 on the file of the 2nd 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be



a direction to the learned I Additional District Judge (PCR), Thanjavur, Thanjavur District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.176 of 2022 on the file of the 2nd respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victim/victims under Section 15(a) of the SC/ST Act. The petitioners shall surrender before the concerned jurisdictional Court within a period of fifteen (15) 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 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.With the above direction, the Criminal Original Petition stands disposed of.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The I Additional District Judge (PCR),
Thanjavur, Thanjavur District.
- 2.The Deputy Superintendent of Police,
Orathanadu (Sub-Division),
Thanjavur District.
- 3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CrI.O.P.(MD)No.8623 of 2022
06.05.2022

sj(CO)

TR(25.05.2022) 2P 5C

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