



Crl.O.P.(MD) No.11929 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11929 of 2022

1.Thangapandian

2.Saravanan

... Petitioners

Vs

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

2.The State,
Represented by the Inspector of Police,
Gandharvakottai Police Station,
Pudukkottai District,
(Crime No.246 of 2022).

3.Dhiliban

4.Kaleeswaran

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal District and Sessions Judge (PCR Court) Pudukkottai to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.246 of 2022 dated 21.06.2022.

1/5



Crl.O.P.(MD) No.11929 of 2022

For Petitioners : D.Rameshkumar

For R-1 and R-2 : Mr.A.Albert James,
Government Advocate,
(Criminal Side).

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned Principal District and Sessions Judge (PCR Court), Pudukkottai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.246 of 2022 dated 21.06.2022.

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 Principal District and Sessions Judge (PCR Court), Pudukkottai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.246 of 2022 on the file of the second respondent and pass appropriate orders, in accordance with law,

2/5



Crl.O.P.(MD) No.11929 of 2022

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.

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, this Criminal Original Petition is allowed.

04.07.2022

Internet: Yes./No
Index: Yes/no
Nsr

Note: Issue order copy on 08.07.2022



Crl.O.P.(MD) No.11929 of 2022

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To

- 1.The Principal District and Sessions Judge (PCR Court),
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Pudukkottai,
Pudukkottai District.
- 3.The Inspector of Police,
Gandharvakottai Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.11929 of 2022

V.SIVAGNANAM, J.

Nsr

CRL.O.P (MD) No.11929 of 2022

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