



Crl.O.P.(MD) No.12736 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12736 of 2022

Vinoth @ Vinothkumar

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Kumbakonam,
Thanjavur District.

2.The State,
Represented by,
The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
(Crime No.241 of 2022)

3.Rajkumar

4.Kanniyan

5.Jeyam

6.Karunanithi Ayyappan

7.Murugan

8.Rajakumari

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9.Vijayaraj

... Respondents

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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned first Additional District and Sessions Judge (PCR) Court Thanjavur, Thanjavur District to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.241 of 2022, dated 08.05.2022.

For Petitioner : Mr.S.Sathya Chidambaram

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 first Additional District and Sessions Judge (PCR) Court Thanjavur, Thanjavur District to accept the surrender of the petitioner and consider his bail application on the same day on merit relating to Crime No.241 of 2022, dated 08.05.2022.



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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 first Additional District and Sessions Judge (PCR) Court Thanjavur, Thanjavur District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.241 of 2022 on the file of the second respondent 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 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.

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4. With the above direction, this Criminal Original Petition is allowed.

20.07.2022

Internet: Yes./No

Index: Yes/no

Nsr

Note: Issue order copy on 22.07.2022

To

1. The First Additional District and Sessions Judge,
(PCR) Court Thanjavur,
Thanjavur District.
2. The Deputy Superintendent of Police,
Kumbakonam,
Thanjavur District.
3. The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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V.SIVAGNANAM, J.

Nsr

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