



Crl.O.P.(MD) No.13476 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13476 of 2022

1. Prabhu,
2. Prakash,
3. Prasanth,

: Petitioners

Vs

1. The Deputy Superintendent Of Police,
Melur, Madurai District.
2. The Inspector of Police,
Melur Police Station,
Madurai District
(Crime No. 194 of 2022).
3. Kalimuthu,

: Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the III Additional Sessions Judge (PCR), Madurai to consider the petitioner's bail application on the same date of their surrender in connection with Crime No. 402 of 2022 registered on the file of the second respondent.

For Petitioner : M/s. Balakrishnan.M,

For R1 and R2 : Mr.A.Albert James,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned III Additional Sessions Judge (PCR), Madurai, to consider the petitioners' bail application on the same day of their surrender in Crime No. 402 of 2022 on the file of the second respondent police.

2.The learned Counsel appearing for the petitioners stated that the petitioners 1 and 2 were arrested by the respondent police.



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3. 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 III Additional Sessions Judge (PCR), Madurai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 402 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 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.

4. 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.



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5. With the above direction, this Criminal Original Petition is allowed with regard to the third petitioner alone. However, in view of the submission made by the learned Counsel appearing for the petitioner, with regard to the petitioners 1 and 2, this criminal original petition stands dismissed.

26.07.2022

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

Note: Issue order copy on 27.07.2022

To

1.The III Additional Sessions Judge (PCR),
Madurai.

2.The Deputy Superintendent Of Police,
Melur, Madurai District.

3. The Inspector of Police,
Melur Police Station,
Madurai District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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V.SIVAGNANAM, J.

lr

ORDER IN
CRL.O.P (MD) No.13476 of 2022

26.07.2022