



Crl.O.P.(MD) No.15205 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15205 of 2022

1.Kasthuri
2.Kaliyamoorthy

... Petitioners/A2 and A3

Vs

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

2. State
Rep. by the Inspector of Police,
All Women Police Station,
Papanasam,
Thanjavur District.
(Crime No.21 of 2022)

3.Pushbalatha

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned 1st Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District to accept the surrender of the petitioners and consider his bail application on the same day on merits relating to Crime No.21 of 2022 dated 20.08.2022.

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For Petitioner : Mr.S.Sathya Chidambaram

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

ORDER

This Criminal Original Petition has been filed for a direction to direct the 1st Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District to consider the petitioners bail application on the same day of their surrender in Crime No. 21 of 2022 on the file of the second respondent police.

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 1st Additional District and Sessions Judge (PCR Court), Thanjavur, Thanjavur District to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.21 of 2022 on the file of the second respondent and pass appropriate orders, in accordance

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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.

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.

25.08.2022

Internet: Yes./No

Index: Yes/no

skn

Note: Issue order copy on 26.08.2022



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To

WEB COPY

- 1.The 1st Additional District and Sessions Judge
PCR Court,
Thanjavur, Thanjavur District.
- 2.The Deputy Superintendent of Police,
Papanasan,
Thanjavur District.
- 3.The Inspector of Police,
All Women Police Station,
Papanasam,
Thanjavur District.
(Crime No.21 of 2022)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

skn

ORDER IN

CRL.O.P (MD) No.15205 of 2022

25.08.2022