



Crl.O.P.(MD) No.15277 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.15277 of 2022

1. Kabilan
2. Varatharajan ...Petitioners

.vs.

1. The Inspector of Police
Medical College Police Station
Thanjavur District

2. M.Muthukrishnan ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the I Additional District and Sessions Court (PCR) Act Cases, Thanjavur to accept the surrender of the petitioners and consider their bail petition in Crime No. 765 of 2022 pending on the file of the 1st respondent police on the same day.

For Petitioners : Mr.M.Jaikumar
For Respondents : Mr.A.Albert James
No.1 : Government Advocate(Crl.Side)



Crl.O.P.(MD) No.15277 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed for a direction to direct the I Additional District and Sessions Court (PCR) Act Cases, Thanjavur to accept the surrender of the petitioners and consider their bail petition in Crime No. 765 of 2022 pending on the file of the 1st respondent police on the same day.

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 I Additional District and Sessions Court (PCR) Act Cases, Thanjavur, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 765 of 2022 on the file of the first 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.



Crl.O.P.(MD) No.15277 of 2022

WEB COPY

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
aav

Note: Issue order copy on 29.08.2022



Crl.O.P.(MD) No.15277 of 2022

To

WEB COPY

- 1.The I Additional District and Sessions Court (PCR)
Act Cases, Thanjavur
2. The Inspector of Police
Medical College Police Station
Thanjavur District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.15277 of 2022

V.SIVAGNANAM, J.

aav

ORDER IN
CRL.O.P (MD) No.15277 of 2022

25.08.2022