



Crl.O.P.(MD) No.15378 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15378 of 2022

Gopikannan

...Petitioner

VS

1. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Thiruverumbur Sub Division
Tiruchirapalli District

2. The Inspector of Police
Thuvakkudi Police Station
Tiruchirapalli District

3. Panchavaranam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the I Addl. District and Sessions Court(PCR), Tiruchirapalli to consider the bail application filed by the petitioner on the same date of his surrender in Crime No.122 of 2022 on the file of the second respondent in accordance with law.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.Albert James

No.1 and 2 : Government Advocate(Crl.Side)



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ORDER

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This Criminal Original Petition has been filed for a direction to direct the I Additional District and Sessions Court(PCR), Tiruchirapalli to consider the bail application filed by the petitioner on the same date of his surrender in Crime No.122 of 2022 on the file of the second respondent in accordance with law.

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), Tiruchirapalli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 122 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.



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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.

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

26.08.2022

Internet: Yes./No
Index: Yes/no
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Note: Issue order copy on 30.08.2022



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To

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- 1.The I Additional District and Sessions Court(PCR), Tiruchirapalli
2. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Thiruverumbur Sub Division
Tiruchirapalli District
3. The Inspector of Police
Thuvakkudi Police Station
Tiruchirapalli District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.15378 of 2022

26.08.2022