



Crl.O.P.(MD)No.21632 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **07.12.2022**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.21632 of 2022

Ramani

... Petitioner/Sole Accused

Vs.

1.The State represented by its,
The Deputy Superintendent of Police,
Orathanadu Sub-Division,
Thanjavur District.

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(Crime No.886 of 2022)

3.Murugesan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned I Additional District and Sessions Judge for (PCR Cases), Thanjavur to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.886 of 2022 on the file of the second respondent Police.



Crl.O.P.(MD)No.21632 of 2022

For Petitioner : Mr.K.Rajesh

For R1 & R2 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned I Additional District and Sessions Judge for (PCR Cases), Thanjavur, to accept the surrender of the petitioner and consider his bail application on the date of surrender in connection with Crime No.886 of 2022 on the file of the second respondent Police.

2. The petitioner is an accused for the offences punishable under Sections 294(b), 323 IPC r/w 3(l)(r), 3(l)(s) of SC/ST (POA) Act, 1989 in Crime No.886 of 2022, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.

3. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and perused the materials available on record.



Crl.O.P.(MD)No.21632 of 2022

WEB COPY

4. 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 I Additional District and Sessions Judge for (PCR Cases), Thanjavur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.886 of 2022 on the file of the second respondent police 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.

5. 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 favorably.



Crl.O.P.(MD)No.21632 of 2022

WEB COPY

6. With the above direction, this Criminal Original Petition stands allowed.

07.12.2022

Index : Yes / No
Internet : Yes / No
das



Crl.O.P.(MD)No.21632 of 2022

WEB COPY

To

- 1.The I Additional District and Sessions Judge
for (PCR Cases), Thanjavur
- 2.The Deputy Superintendent of Police,
Orathanadu Sub-Division,
Thanjavur District.
- 3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.21632 of 2022

K.MURALI SHANKAR,J.

das

Order made in
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