



Crl.O.P.(MD)No.21932 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.12.2022**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.21932 of 2022

Karamudayan Ravi @ Ravichandran

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Musiri,
Trichirapalli District.

2.The Inspector of Police,
Thuraiyur Police Station,
Trichirapalli District.

3.R.Gajendiran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the I Additional Sessions Judge, (Special Court for PCR Act cases) Trichirapalli to consider the bail application filed by the petitioner on the same day, if the petitioner surrender before the learned I Additional Sessions Judge, (Special Court for PCR Act cases) Trichirapalli in case in Crime No.375 of 2022 dated 04.12.2022 on the file of the second respondent police.



Crl.O.P.(MD)No.21932 of 2022

For Petitioner : Mr.R.M.Makesh Kumaravel
For R1 & R2 : Mr.E.Antony Sahaya Prabahar
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 Sessions Judge, (Special Court for PCR Act cases) Trichirapalli to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.375 of 2022 on the file of the second respondent.

2. The petitioner is an accused for the offences punishable under Sections 294(b) and 323 IPC and Sections 3(l)(r), 3(l)(s) and 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.375 of 2022, pending on the file of the second respondent and apprehending arrest, he has filed the present petition.



Crl.O.P.(MD)No.21932 of 2022

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.

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 Sessions Judge, (Special Court for PCR Act cases) Trichirapalli to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.375 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.

5. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous



Crl.O.P.(MD)No.21932 of 2022

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.

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

13.12.2022

Index : Yes / No
Internet : Yes / No
csm



Crl.O.P.(MD)No.21932 of 2022

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To

- 1.The I Additional Sessions Judge,
(Special Court for PCR Act cases) Trichirapalli.
- 2.The Deputy Superintendent of Police,
Musiri,
Trichirapalli District.
- 3.The Inspector of Police,
Thuraiyur Police Station,
Trichirapalli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.21932 of 2022

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.21932 of 2022

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