



*Crl.O.P.(MD)No.22388 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.12.2022**

CORAM

**THE HON'BLE MR.JUSTICE K.MURALI SHANKAR**

**Crl.O.P.(MD)No.22388 of 2022**

G.Govendan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,  
Karur Sub Division,  
Karur.

2.The Inspector of Police,  
Thanthonimalai Police Station,  
Karur District.  
(Crime No.456 of 2022)

3.Solairajan

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District and Sessions Judge, Karur to consider and dispose of the bail application of the petitioner in Crime No.456 of 2022 on the file of the second respondent on the same day of his surrender.

For Petitioner : Mr.V.Balaji

For R1 & R2 : Mr.R.Sivakumar  
Government Advocate (Crl. Side)



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## **ORDER**

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Principal District and Sessions Judge, Karur to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.456 of 2022 on the file of the second respondent police.

2. The petitioner is an accused for the offences punishable under Sections 288 and 304(A) IPC altered into Sections 284 and 304(2) (4 counts) IPC r/w 3(2)(v) of SC/ST (POA) Act 2015 and Sections 8 and 9 of the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 in Crime No.456 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.



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4. The learned counsel appearing for the petitioner would submit that the second accused was already arrested and released on bail by the Principal District and Sessions Court, Karur vide order dated 24.11.2022.

5. 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 Principal District and Sessions Judge, Karur , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.456 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.

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



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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.

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

**20.12.2022**

Index : Yes / No  
Internet : Yes / No  
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To

- 1.The Principal District and Sessions Judge,  
Karur.
- 2.The Deputy Superintendent of Police,  
Karur Sub Division,  
Karur.
- 3.The Inspector of Police,  
Thanthonimalai Police Station,  
Karur District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**K.MURALI SHANKAR,J.**

csn

Order made in  
**Crl.O.P.(MD)No.22388 of 2022**

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