



Crl.O.P.(MD)No.2985 and 5027 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.2985 and 5027 of 2023

Akash

... Petitioner
in Crl.O.P(MD).No.2985 of 2023

Karuppaiya

... Petitioner
in Crl.O.P(MD).No.5027 of 2023

Vs.

1.State represented by its
The Deputy Superintendent of Police,
Alangudi,
Pudukottai District.

2.The Inspector of police,
Alangudi Police Station,
Pudukottai District.

3.Ajeendran

... Respondents
in both Crl.O.Ps

COMMON PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the District Sessions Judge Cum Special Judge, P.C.R. Court, Pudukottai to consider the bail application of the petitioners' on the same day of their surrender before



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that Court in connection with Crime No.33 of 2023 on the file of the respondent.

For Petitioners : Mr.N.Anandakumar
(In both Crl.O.Ps)
For R1 for R2 : Mr.B.Nambiselvan
(In both Crl.O.Ps) Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed, invoking Section 482 Cr.P.C., seeking orders to direct the District Sessions Judge Cum Special Judge, P.C.R. Court, Pudukottai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No.33 of 2023 on the file of the second respondent police.

2. The petitioners are the accused for the offences punishable under Sections 294(b), 324 of IPC and 3(1)(r), 3(1) (s), 3(2) (va) of Schedule Caste and the Schedule Tribunal (Prevention of Atrocities) Act 1989, in Crime No.33 of 2023, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.



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

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that no previous case is pending against these petitioners and the injured has been discharged from the hospital.

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 direct the District Sessions Judge Cum Special Judge, P.C.R. Court, Pudukottai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.33 of 2023 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 15A(3) of the SC/ST Act. The petitioners shall surrender before the concerned jurisdictional Court, within a period of



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fifteen days, from the date of the receipt of a copy of this order.

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6. 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 favorably.

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

17.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

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1. to direct the District Sessions Judge Cum Special Judge, P.C.R. Court,
Pudukottai.

2.The Deputy Superintendent of Police,
Alangudi,
Pudukottai District.

3.The Inspector of police,
Alangudi Police Station,
Pudukottai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

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Order made in
Crl.O.P.(MD)Nos.2985 and 5027 of 2023

Dated: 17.03.2023