



*Crl.O.P.(MD)No.5407 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.03.2023**

CORAM

**THE HON'BLE MR.JUSTICE G.ILANGO VAN**

**Crl.O.P.(MD)No.5407 of 2023**

S.N.Sekar

... Petitioner / Sole Accused

Vs.

1.The State represented by its  
The Deputy Superintendent of Police,  
Papanasam,  
Thanjavur District.

2.The State represented by its  
The Inspector of Police,  
Ayyampettai Police Station,  
Crime No. 94 of 2023  
Thanjavur District.

... Respondents 1 and 2 / Complainant

3.Anbuselvam

... 3<sup>rd</sup> Respondent / Defacto Complainant

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Learned 1<sup>st</sup> Additional Sessions Court cum PCR Court, Thanjavur to consider the bail application on the same day which would be filed by the petitioner in Crime No.94 of 2023 on the file of the 2<sup>nd</sup> respondent police.



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For Petitioner : Mr.R.Rajaraman

For Respondent : Mr.B.Nambiselvan  
Additional Public Prosecutor

**ORDER**

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned 1<sup>st</sup> Additional Sessions Court cum PCR Court, Thanjavur, to consider the bail application on the same day which would be filed by the petitioner in Crime No.94 of 2023 on the file of the 2<sup>nd</sup> respondent police.

2. The petitioner is the accused for the offences punishable under Sections 294(b), 506(i) of IPC, r/w. 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.94 of 2023 dated 15.03.2023, 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



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and 2 and perused the materials available on record.

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4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the petitioner is not having any previous cases.

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 1<sup>st</sup> Additional Sessions Court cum PCR Court, Thanjavur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.94 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 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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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 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.

**23.03.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
Indu

To

- 1.The Deputy Superintendent of Police,  
Papanasam,  
Thanjavur District.
- 2.The Inspector of Police,  
Ayyampettai Police Station,  
Thanjavur District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**G.ILANGO VAN,J.**

Indu

Order made in  
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