



*Crl.O.P.(MD)No.6636 of 2023*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

DATED : 11.04.2023

CORAM :

**THE HONOURABLE Mr. JUSTICE G.ILANGO VAN**

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- 1.S.Kathiresan
- 2.M.Darmaraj
- 3.D.Ragupathi
- 4.Ranjith @ Ranjithkumar
- 5.S.Sagadevan
- 6.R.Rajesh
- 7.Mohan
- 8.K.Venkatesh

... Petitioners

Vs.

- 1.The Deputy Superintendent of Police,  
DSP Office Vallam,  
Thanjavur District.
- 2.The Inspector of Police,  
Kallaperambur Police Station,  
Thanjavur District.

- 3.N.Maruthamuthu

... Respondents

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Ist Additional District and Sessions Judge Cum (PCR Court), Thanjavur to accept the surrender of the petitioners and to consider the petitioners' bail application on the same day in accordance with law of their surrender in connection with Crime No.52 of 2023 on the file of the second respondent police.



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For Petitioner  
For R1 and R2

: Mr.A.Senthil Kumar  
: 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 Ist Additional District and Sessions Judge Cum (PCR Court), Thanjavur, to accept the surrender of the petitioners and to consider the petitioners' bail application on the same day in accordance with law of their surrender in connection with Crime No.52 of 2023 on the file of the second respondent police.

2. The petitioners are the accused for the offences punishable under Sections 147, 294(b), 323 and 506(1) and Sections 3(1)(r), 3(1)(s), 3(2)(Va) of SC/ST (Prevention of Atrocities)Act, 1989 in Crime No.52 of 2023, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.

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.



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4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the petitioners are not having any previous cases 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 the Ist Additional District and Sessions Judge Cum (PCR Court), Thanjavur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.52 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 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 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.



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

**11.04.2023**

Index : Yes/No  
Internet: Yes/No  
tta

To

- 1.The Deputy Superintendent of Police,  
DSP Office Vallam,  
Thanjavur District.
- 2.The Inspector of Police,  
Kallaperambur Police Station,  
Thanjavur District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN, J.,**

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