



Crl.O.P.(MD) No.8734 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.05.2023

CORAM

THE HONOURABLE MR. JUSTICE R. KALAIMATHI

CRL.O.P (MD) No.8734 of 2023

1. Gopal @ Kovendhan
2. Annakodi
3. Balan @ Palachinnan
4. Chinnachamy

... Petitioners

Vs

- 1.The Deputy Superintendent of Police,
Peraiyur, Madurai District
- 2.The Inspector of Police,
Saptur police station,
Madurai District.
(Crime No.56 of 2023)

- 3.Sundaramahalingam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District and Sessions Judge (PCR) Court) Madurai to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.56 of 2023 on the file of the second respondent police.



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For Petitioners : Mr.D.S.Haroon Rasheed
For Respondents : Mr.M.Vaikkam Karunanithi
No.1 and 2 Government Advocate (Crl.side)

ORDER

This petition is filed for a direction to direct the learned III Additional District and Sessions Judge (PCR) Court) Madurai to consider the bail application of the petitioners on the same day of their surrender itself in Crime No.56 of 2023 on the file of the second respondent police.

2. 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 III Additional District and Sessions Judge (PCR) Court) Madurai, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 56 of 2023 on the file of the 2nd respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under Section 15(A) of SC/ST Act The petitioners shall surrender before the concerned jurisdictional Court



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within a period of fifteen days from the date of the receipt of a copy of this Order.

3. 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 favourably.

4. With the above direction, the Criminal Original Petition stands disposed of.

11.05.2023

NCC : Yes / No

Internet: Yes./No

Index: Yes/no

Note: Issue order copy on 12.05.2023

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R. KALAIMATHI, J.

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To

- 1.The III Additional District and Sessions Judge (PCR) Court) Madurai
- 2.The Deputy Superintendent of Police,
Peraiyur, Madurai District
- 3.The Inspector of Police,
Saptur police station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No.8734 of 2023

11.05.2023