



Crl.O.P.(MD) No.8763 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

Crl.O.P.(MD) No.8763 of 2023

1.Selvam

2.Maheshwari

3.Ajith @ Ajithkumar

4.Premkumar

...Petitioners

Vs.

1.The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Thiruvudaimaruthur Sub Division, Thanjavur District.

2.The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District. Crime No.290 of 2023.

3.Perumal

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to accept the surrender of the petitioners before the Special Court for SC/ST (Prevention of Atrocities) Act i.e.The 1st Additional District and Sessions Judge at Thanjavur in connection with the Crime No.290 of 2023 on the file of the 2nd respondent and to consider the bail applications filed by the petitioners on the same day.



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For Petitioners : Mr.K.M.Karunakaran
For Respondents : Mr.A.Albert James (R1 & R2)
Government Advocate

ORDER

This petition has been filed seeking for a direction to the Special Court for SC/ST (Prevention of Atrocities) Act i.e. the 1st Additional District and Sessions Judge at Thanjavur, to accept the surrender of the petitioners in connection with Crime No.290 of 2023 on the file of the 2nd respondent and to consider the bail applications filed by the petitioners on the same day.

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 Special Court for SC/ST (Prevention of Atrocities) Act i.e. the 1st Additional District and Sessions Judge at Thanjavur, to



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consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.290 of 2023 on the file of the second respondent 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 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.

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 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 favourably.

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

17.05.2023

NCC:Yes/No
Index:Yes/No
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T.V.THAMILSELVI, J.

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To

- 1.The Special Court for SC/ST (Prevention of Atrocities) Act i.e.
the 1st Additional District and Sessions Judge at Thanjavur.
- 2.The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Thiruvidaimaruthur Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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