



Crl.O.P.(MD) No.8842 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.8842 of 2023

Gnanasekaran

...Petitioner

Vs.

1.The Deputy Superintendent Of Police,
T.Kallupatti, Madurai District.

2.The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
Crime No.25 of 2023.

3.Palraj

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to direct the III Additional Sessions Judge (PCR Court), Madurai
to consider the Petitioner's bail application on the same day of his
surrender in Cr.No.25 of 2023 on the file of the Respondent Police.



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For Petitioner : Mr.N.Saravanan
For Respondents : Mr.A.Albert James (R1 & R2)
Government Advocate

ORDER

This petition has been filed seeking for a direction to the III Additional Sessions Judge (PCR Court), Madurai to consider the Petitioner's bail application on the same day of his surrender in Cr.No.25 of 2023 on the file of the 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 III Additional Sessions Judge (PCR Court), Madurai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.25 of 2023 on the file of the second respondent and pass appropriate orders in accordance with law



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after affording due opportunity to the victim under Section 15(a) 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.

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.

17.05.2023

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

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To

- 1.The III Additional Sessions Judge (PCR Court), Madurai.
- 2.The Deputy Superintendent Of Police,
T.Kallupatti, Madurai District.
- 3.The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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