



Crl.O.P.(MD) No.8848 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.8848 of 2023

Pandikumar

...Petitioner

Vs.

1.The Assistant Commissioner of Police,
Thiruparankundram, Madurai City.

2.The Inspector of Police,
Thirupparangundram Police Station,
Madurai City,
Crime No.224 of 2023.

3.Selvam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned III Additional District and Sessions Judge (PCR Cases), Madurai to consider the bail application of the petitioner on same day on merits in accordance with law in respect of the crime no. 224 of 2023 on the file of Respondent police.



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

ORDER

This petition has been filed seeking for a direction to the learned III Additional District and Sessions Judge (PCR Cases), Madurai to consider the bail application of the petitioner on same day on merits in accordance with law in respect of the crime no.224 of 2023 on the file of 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 Cases), Madurai to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.224 of

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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 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.

Sm

To

- 1.The III Additional District and Sessions Judge (PCR Cases),
Madurai.
- 2.The Assistant Commissioner of Police,
Thiruparankundram, Madurai City.
- 3.The Inspector of Police,
Thirupparangundram Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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