



Crl.O.P.(MD) No.9376 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.05.2023**

CORAM:

THE HONOURABLE **MR. JUSTICE P.VADAMALAI**

Crl.O.P.(MD) No.9376 of 2023

1.Dhena @ Dhinakaran

2.Ajay

...Petitioners

Vs.

1.The Deputy Superintendent of Police,
DSP - Office, Melur, Madurai.

2.The Inspector of Police,
Kottampatti Police Station,
Madurai.

3. Veeraiah

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to consider the bail application of the petitioners on merits in accordance with law on the same day in connection with Crime No.116 of 2023, dated 04.04.2023, on the file of the respondents by the III Additional District and Sessions Court (PCR), Madurai within a stipulated that may be fixed by this Court.



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For Petitioners : Mr.K.Gunasekara Pandiyan

For Respondents : Mr.K.Sanjai Gandhi,
Govt. Advocate (Crl. Side) for R1 & R2.

ORDER

This petition has been filed seeking for a direction to the learned III Additional District and Sessions Court (PCR), Madurai, to consider and dispose of the petitioners' bail applications on the same day of their surrender in respect of Crime No.116 of 2023 on the file of the second respondent.

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 District and Sessions Court (PCR), Madurai, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.116 of 2023 on



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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.

25.05.2023

NCC:Yes/No
Index:Yes/No
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P.VADAMALAI, J.

ias

To

- 1.The III Additional District and Sessions Court (PCR),
Madurai.
- 2.The Deputy Superintendent of Police,
DSP - Office, Melur, Madurai.
- 3.The Inspector of Police,
Kottampatti Police Station,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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