



Crl.O.P.(MD) No.9379 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.9379 of 2023

1.J.Piyaribanu

2.Shajahan

...Petitioners

Vs.

1.The Assistant Commissioner of Police,
Anna Nagar, Madurai City.

2.The Inspector of Police,
Anna Nagar Police Station,
Madurai City.

3. Vasuki

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned District and Sessions Judge cum PCR court, Madurai to consider the bail application of the petitioners/Accused 1 and 2 filed by petitioners on their surrender on the same day in Crime No. 283 of 2023 on the file of the 2nd respondent police.



WEB COPY



Crl.O.P.(MD) No.9379 of 2023

For Petitioners : Mr.K.Palmurugan

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 District and Sessions Judge cum PCR court, Madurai, to consider and dispose of the petitioners' bail applications on the same day of their surrender in respect of Crime No.283 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 Special Court for Trial of SC/ST (POA) Act Cases, Madurai, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.283 of 2023 on



Crl.O.P.(MD) No.9379 of 2023

WEB COPY

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
ias

3/4



WEB COPY



Crl.O.P.(MD) No.9379 of 2023

P.VADAMALAI, J.

ias

To

- 1.The District and Sessions Judge cum PCR court,
Madurai.
- 2.The Assistant Commissioner of Police,
Anna Nagar, Madurai City.
- 3.The Inspector of Police,
Anna Nagar Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

Crl.O.P.(MD) No.9379 of 2023

25.05.2023