



CrI.O.P.(MD)No.9401 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2023

CORAM:

THE HON'BLE MR JUSTICE P.VADAMALAI

CrI.O.P.(MD)No.9401 of 2023

Bhavaneswaran @ Velmurugan

...Petitioner

Vs.

1.The Deputy Superintendent Of Police,
Srivaikundam, Thoothukudi District.

2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
(Crime No.99 of 2023)

3.Uthiram

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to direct the Special Court (PCR Court), Thoothukudi to consider
the petitioner's bail application in Crime No.99 of 2023 on the file of the
second respondent police on the same day of his surrender.

For Petitioner : Mr.C.Suresh Kumar

For R1 & R2 : Mr.K.Sanjai Gandhi,
Government Advocate(CrI.side)



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ORDER

This petition has been filed seeking for a direction to the Special Court (PCR Court), Thoothukudi to consider the petitioner's bail application in Crime No.99 of 2023 on the file of the second respondent police on the same day of his surrender.

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 (PCR Court), Thoothukudi, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.99 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 petitioner shall surrender before the concerned jurisdictional



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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 favorably.

4. With the above direction, the Criminal Original Petition stands allowed.

25.05.2023

NCC:Yes/No

Index:Yes/No

Speaking / Non speaking order

gns



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P.VADAMALAI, J.

gns

To

- 1.The Special Court (PCR Court), Thoothukudi
- 2.The Deputy Superintendent Of Police,
Srivaikundam, Thoothukudi District.
- 3.The Inspector of Police,
Eral Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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