



CrI.O.P.No.28012 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.28012 of 2024

Marudhan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Palacode,
Dharmapuri District.

2.The State rep by,
Sub-Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.
(Crime No.165/2024).

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to direct the Principal District Judge,
Dharmapuri to consider the bail application of the petitioner on the same day
of his surrender in Crime No.165/2024 on the file of the respondent.



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For Petitioner : Mr.M.Manohar

For Respondents : Mr.S.Sugendran,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Principal District Judge, Dharmapuri to consider the petitioner's bail application on the same day on his surrender in Crime No.165 of 2024 pending on the file of the 2nd 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 of the facts of the case, there shall be a direction to the learned Principal District Judge, Dharmapuri to consider the petitioner's bail application on the same day of his surrender in connection with Crime No.165 of 2024 registered for the offence under Sections 296(b) and 115(2) of BNS and Sections 3 & 4 of The Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of The Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989 on the file of the 2nd respondent and pass appropriate orders in accordance



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with law. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedent of the petitioner and pass orders after affording due opportunity to the victim under Section 15-A of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3.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.

4.In view of the above, the Criminal Original Petition stands allowed.

No costs.

08.11.2024

Index:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No

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SUNDER MOHAN, J.



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WEB COPY To

- 1.The Principal District Judge,
Dharmapuri.
- 2.The Deputy Superintendent of Police,
Palacode,
Dharmapuri District.
- 3.The Sub-Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.
- 4.The Public Prosecutor,
Madras High Court.

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