



Crl.O.P.(MD) No.7250 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.05.2024

CORAM

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

Crl.O.P.(MD) No.7250 of 2024

1.Santhosh @ Santhosh Kumar
2.Permkumar
3.Dinesh

...Petitioners

Vs.

1.The Deputy Superintendent of Police,
Thanjavur District.

... 1st Respondent/
Investigation Officer

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
Crime No.118 of 2024

... 2nd Respondent/
Complainant

3.Rajesh

... 3rd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying the learned District Additional and Sessions Judge (PCR), Thanajvur to consider the bail application of the petitioners in Crime No. 118 of 2024 on the same date of surrender and dispose the same on its merits and in accordance with law.



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For Petitioners : Mr.K.Ganesamoorthi
For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)
for R1 and R2

ORDER

This petition has been filed seeking for a direction to the learned District Additional and Sessions Judge (PCR), Thanajvur, to consider and dispose of the petitioners' bail applications on the same day of their surrender in respect of Crime No.118 of 2024 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 District Additional and Sessions Judge (PCR), Thanajvur, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.118 of 2024 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.

15.05.2024

NCC:Yes/No
Index:Yes/No
PKN

3/4



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P.VADAMALAI, J.

PKN

To

- 1.The Deputy Superintendent of Police,
Thanjavur District.
- 2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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