



CrI.O.P.(MD) No.7736 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.05.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

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Barathimohan

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Lalgudi Division,
Trichy District.

2. The Inspector of Police,
Lalgudi Police Station,
Trichy District.
(Crime No.570 of 2023)

3. Nivetha

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned I Additional Session Judge cum Special Judge (PCR Court), Trichy, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.570 of 2023 dated 22.12.2023 on the file of the second respondent.



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For Petitioner : Mr.Shiny G.Mahima

For R-1 and R-2 : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the learned I Additional Session Judge cum Special Judge (PCR Court), Trichy, to consider and dispose of the petitioner's bail application on the same day of his surrender in respect of Crime No.570 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 learned I Additional Session Judge cum Special Judge (PCR Court), Trichy, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 570 of 2023 on the file of the second respondent and pass appropriate



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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 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 antecedent 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 favourably.

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

23.05.2024

NCC:Yes/No
Index:Yes/No
jbr



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S.SRIMATHY, J.

jbr

To

1. I Additional District and Sessions Judge (PCR Court),
Trichy.

2. The Deputy Superintendent of Police,
Lalgudi Division,
Trichy District.

3. The Inspector of Police,
Lalgudi Police Station,
Trichy District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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