



CrI.O.P.(MD) No.7568 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.05.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

CRL.O.P (MD) No.7568 of 2024

Dhamotharan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Papanasam Sub Division,
Thanjavur District.

2.The Inspector of Police,
All Women Police Station,
Papanasam,
Thanjavur District.
(Crime No.11 of 2024)

3.Jeevasuruthi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to accept the surrender of the petitioners before the Special Court for S.C./S.T. (Prevention of Atrocities) Act, ie., the I Additional District and Sessions Judge at Thanjavur in connection with the Crime No.11 of 2024, on the file of the second respondent police and to consider the bail application filed by the petitioners on the very same day.



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For Petitioner : Mr.J.Sulthan Basha
For R1 & R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the learned I Additional District and Sessions Judge at Thanjavur, to consider and dispose of the petitioner's bail application on the same day of his surrender in respect of Crime No.11 of 2024, on the file of the second respondent.

2. The learned Additional Public Prosecutor appearing for the respondents 1 and 2, vehemently opposed for grant of the relief sought for by the petitioner.

3. 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 and since the co- accused has been granted with a similar relief, there shall be a direction to the learned I Additional District and Sessions Judge at Thanjavur, to consider the



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petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.11 of 2024, 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 Court within a period of fifteen days from the date of receipt of a copy of this Order.

4. 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 favourably.

5. With the above direction, the Criminal Original Petition stands disposed of.

22.05.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No
MR

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To

1.The learned I Additional District and Sessions Judge
Thanjavur.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Papanasam Sub Division,
Thanjavur District.

3.The Inspector of Police,
All Women Police Station,
Papanasam,
Thanjavur District.

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



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S.SRIMATHY, J.

MR

ORDER IN
CRL.O.P (MD) No.7568 of 2024

22.05.2024