



Crl.O.P.(MD)No.18763 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.18763 of 2024

1.Babu
2.Prabhu
3.Prathap
4.Chakkaravarthy : Petitioners/A1, A4, A5 & A6

Vs.

1.The State of Tamil Nadu,
Represented by its,
The Deputy Superintendent of Police
Melur Circle, Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.589 of 2024 ... Respondents/Complainants

3.Vasu ... 3rd Respondent/Defacto complainant

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, permit the petitioners to surrender before the learned III Additional District Judge for PCR Act Cases, Madurai in Crime No.589 of 2024 and file an application for the grant of bail on the same day and in the event of filing the same, the said application may be directed to be considered on the same day on merits and in accordance with law forthwith.



Crl.O.P.(MD)No.18763 of 2024

For Petitioners : Mr.M.Jegadeesh Pandian
For Respondents : Mr.K.Sanjai Gandhi
No.1 & 2 Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed to direct the learned III Additional District Judge for PCR Act Cases, Madurai and to accept the surrender of the petitioners in Crime No.589 of 2024 on the file of the second respondent and to consider and pass orders on the bail application to be preferred by the petitioners on the same day itself.

2.Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl. side) appearing for the respondents 1 and 2 and perused the materials available on record.

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, there shall be a direction to the learned III Additional District Judge for PCR Act Cases, Madurai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.589 of 2024 on the file of the



Crl.O.P.(MD)No.18763 of 2024

second respondent police 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.

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 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 favorably.

5. With the above direction, this Criminal Original Petition stands allowed.

04.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 05.11.2024



Crl.O.P.(MD)No.18763 of 2024

To

WEB COPY

- 1.The III Additional District Judge for PCR Act Cases, Madurai.
- 2.The Deputy Superintendent of Police
Melur Circle, Madurai District.
- 3.The Inspector of Police,
Melur Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.18763 of 2024

M.NIRMAL KUMAR,J.

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Crl.O.P.(MD)No.18763 of 2024

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