



*Crl.O.P.(MD)No.19449 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

Crl.O.P.(MD)No.19449 of 2024

B.Lalli

: Petitioner

Vs.

1.The State of Tamil Nadu  
rep., by The Assistant Commissioner of Police,  
Tallkulam, Madurai City.

2.The Inspector of Police,  
Sellur Police Station,  
Madurai District.  
Crime No.582 of 2024

3.Poopandi

: Respondents

**PRAYER :** Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Sessions Judge, Special Court for trial of cases under SC/ST (Prevention of Atrocities) Act, Madurai, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrenders before the Sessions Judge, Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, Madurai, for the case registered in Crime No.582 of 2024 on the file of the second respondent dated 20.06.2024.



*Crl.O.P.(MD)No.19449 of 2024*

For Petitioner : Mr.A.Rajini  
For Respondents : Mr.K.Sanjai Gandhi  
Nos. 1 and 2 Government Advocate (Crl.side)

### **ORDER**

This Criminal Original Petition has been filed to direct the learned Principal District and Sessions Judge, Special Court for trial of cases under SC/ST (Prevention of Atrocities) Act, Madurai, to accept the surrender of the petitioner in Crime No.582 of 2024 on the file of the second respondent and to consider and pass orders on the bail application to be preferred by the petitioner on the same day itself.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.side) appearing for the respondents 1 & 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 Principal District and Sessions Judge, Special Court for trial of cases under SC/ST (Prevention of Atrocities) Act, Madurai, to consider the



*Crl.O.P.(MD)No.19449 of 2024*

petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.582 of 2024 on the file of the 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 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. 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 favorably.

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

**12.11.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
*Rmk*

**Note: Issue order copy on 13.11.2024**



*Crl.O.P.(MD)No.19449 of 2024*

To

WEB COPY

- 1.The Principal District and Sessions Judge,  
Special Court for trial of cases under SC/ST  
(Prevention of Atrocities) Act, Madurai.
- 2.The The Assistant Commissioner of Police,  
Tallkulam, Madurai City.
- 3.The Inspector of Police,  
Sellur 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.19449 of 2024*

**M.NIRMAL KUMAR,J.**

*Rmk*

Crl.O.P.(MD)No.19449 of 2024

12.11.2024