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Crl.O.P.(MD)No.19710 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19710 of 2024

S.Saravanakumar

.. Petitioner

Vs.

1. The Deputy Superintendent of Police
Tuticorin District, Tuticorin

2. The Inspector of Police
Pudukottai Police Station
Tuticorin District

3. Sudalai

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Special Court for Cases Triable under SC and ST Act, at Tuticorin, to accept the surrender of the petitioner in connection with the Crime No.271/2024 on the file of the second respondent Police and to consider the dispose the bail filed by the petitioner on the same day on merits.

For Petitioner	: Mr.N.Sundaresan
For Respondents	: Mr.K.Sanjai Gandhi
No.1& 2	Government Advocate(Crl.Side)



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ORDER

This Criminal Original Petition has been filed to direct the Special Court for Cases Triable under SC and ST Act, at Tuticorin, to accept the surrender of the petitioner in connection with the Crime No.271/2024 on the file of the second respondent Police and to consider the dispose the bail filed by the petitioner on the same day on merits.

2. Heard the learned counsel appearing for the petitioner, 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 Special Court for Cases Triable under SC and ST Act, at Tuticorin to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.271 of 2024 on the file of the second respondent police and pass appropriate orders, in accordance with



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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.

14.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 15.11.2024



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To

1. The Special Court for Cases Triable under SC and ST Act, Tuticorin
2. The Deputy Superintendent of Police
Tuticorin District, Tuticorin
3. The Inspector of Police
Pudukottai Police Station
Tuticorin District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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