



Crl.O.P.(MD)No.21322 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21322 of 2024

1.Jeyaprakash @ Sivaprakasam
2.Navarasu

: Petitioners/A1 & A2

Vs.

1.The Deputy Superintendent of Police
Lalgudi, Tirchirappalli District.

2.The State of Tamil Nadu,
State: Rep. the Inspector of Police,
Samayapuram Police Station,
Trichy District.
Crime No.369 of 2024

... Respondents/Complainants

PRAYER : Criminal Original Petition filed under Section 528 of BNSS-482 of Criminal Procedure Code, to direct the learned I Additional District and Sessions Judge, (PCR), Trichy to accept the surrender of the petitioners and consider their bail application on the same day on merits relating to Crime No.369 of 2024, dated 28.11.2024.

For Petitioners : Mr.G.Karnan

For Respondents : Mr.P.Kottaichamy
Government Advocate (Crl. side)



Crl.O.P.(MD)No.21322 of 2024

ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the learned I Additional District and Sessions Judge, (PCR), Trichy and to accept the surrender of the petitioners in Crime No.369 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 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 I Additional District and Sessions Judge, (PCR), Trichy, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.369 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



Crl.O.P.(MD)No.21322 of 2024

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.

05.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
sjj

Note: Issue order copy on 06.12.2024

To

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



WEB COPY



Crl.O.P.(MD)No.21322 of 2024

M.NIRMAL KUMAR,J.

sjj

- 2.The Deputy Superintendent of Police
Lalgudi, Tirchirappalli District.
- 3.The Inspector of Police,
Samayapuram Police Station,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.21322 of 2024

05.12.2024