



Crl.O.P.(MD)No.21313 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21313 of 2024

1.(*) **Shanmuga Shakthi**

2.Vijayalakshmi

: Petitioners/ A1 & A4

Vs.

1.The State of Tamil Nadu

Rep. by the Superintendent of Police
Tiruchirappalli District.

2.The State Rep. by

The Inspector of Police,
Manapparai Police Station,
Tiruchirappalli District.

Crime No.561 of 2024

... Respondents 1 & 2/Complainants

PRAYER : Criminal Original Petition filed under Section 528 of BNSS-482 of Criminal Procedure Code, to direct the learned I Additional District Court, (PCR), Tiruchirappalli to dispose the bail application of the petitioners on merits on the same day of their surrender before the above mentioned concerned Court in pending investigation of Crime No.561 of 2024 on the file of the first respondent.

For Petitioners : Mr.B.Prasanna Vinoth

For Respondents : Mr.P.Kottaichamy

No.1 & 2

Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed to direct the learned I Additional



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District Court, (PCR), Tiruchirappalli and to accept the surrender of the petitioners in Crime No.561 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 I Additional District Court, (PCR), Tiruchirappalli, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.561 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 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.

<https://www.mjc.tn.gov.in/>



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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.

Sd/-

Assistant Registrar (AD-II)

**(*)Amended as per order of this Court dated. 20.12.2024
made in Crl.op(md)No.21313 of 2024.**

Sd/-

05.12.2024

// True Copy //

/01/2025

Sub Assistant Registrar
(CS-I / II / III / IV)

sjj

(*)To be substituted to the order already despatched on 06.12.2024



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To

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1.The I Additional District Judge, (PCR), Tiruchirappalli.

2.The Superintendent of Police
Tiruchirappalli District.

3.The Inspector of Police,
Manapparai Police Station,
Tiruchirappalli District.

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

+1 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-76417[F] dated 24/12/2024)
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05.12.2024

RD(06/12/2024) 4P / 6C

SI -(07.01.2025) 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.