



Crl.O.P.(MD)No.21479 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21479 of 2024

1. P.Senthil Raj Kimar @ Senthil Kumar

2. Suresh Kumar

.. Petitioner

Vs.

1. The Deputy Superintendent of Police
Dindigul Sub Division
Dindigul District.

2. The Inspector of Police,
Shanar Patti Police Station,
Dindigul District.

3. Alagammal

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for Trial of Cases under SC/ST Act, Sessions Court, Dindigul to consider accept the surrender of the petitioner/accused in connection with the Crime No.414 of 2024 on the file of the second respondent police and to consider the petitioners' bail application on the same day.

For Petitioner
For R-1 & R-2

: Mr.K.Kishore Kumar
: Mr.K.Sanjai Gandhi
Government Advocate(Crl.Side)



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ORDER

This Criminal Original Petition has been filed to direct the Special Court for Trial of Cases under SC/ST Act, Dindigul, to consider the Bail application of the Petitioners on the same day of their surrender before the Court in connection with Crime No.414 of 2024 on the file of the respondent police.

2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate(Crl.Side) appearing for the respondents No.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 Trial of Cases under SC/ST Act Sessions Court, Dindigul, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.414 of 2024 on the file of the second respondent police and pass appropriate orders, in



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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.

09.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
jbr



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To

1. The Special Court for Trial of Cases under SC/ST Act, Dindigul.
2. The Deputy Superintendent of Police
Dindigul Sub Division
Dindigul District.
3. The Inspector of Police,
Shanar Patti Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

jbr

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