



Crl.O.P.(MD)No.21741 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21741 of 2024

1. Mariaraja
2. Seeni @ Anthony Seeni .. Petitioners

Vs.

1. The Deputy Superintendent of Police
Thoothukudi Rural
Thoothukudi District

2. The Inspector of Police
Pudukottai Police Station
Thoothukudi District

3. Suresh .. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for PCR Cases, Thoothukudi District, to consider and dispose of the bail application filed by the petitioners in Crime No. 359/2024 dt. 20.11.2024 on the file of the 2nd respondent herein on the same day of his surrender before the said Court.

For Petitioners : Mr.S.Vinayak
For Respondents : Mr.A.Thiruvadi Kumar
No.1& 2 Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to direct the Special Court for PCR Cases, Thoothukudi District, to consider and dispose of the bail application filed by the petitioners in Crime No. 359/2024 dt. 20.11.2024 on the file of the second respondent herein on the same day of his surrender before the said Court.

2. Heard the learned counsel appearing for the petitioners, the learned Additional Public Prosecutor 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 PCR Cases, Thoothukudi District to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.359 of 2024 on the file of the second respondent police and pass appropriate orders, in accordance with law,



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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.

10.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 11.12.2024



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To

1. The Special Court for PCR Cases, Thoothukudi District
2. The Deputy Superintendent of Police
Thoothukudi Rural
Thoothukudi District
3. The Inspector of Police
Pudukottai Police Station
Thoothukudi 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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