



Crl.O.P.(MD)No.21940 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21940 of 2024

Venkatesan

: Petitioner

Vs.

1. The Deputy Superintendent of Police
Pattukottai Sub Division
Thanjavur District

2. The Inspector of Police
Thiruchitrambalam Police Station
Thanjavur District

3. Anbalagan

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the I Additional District and Sessions Court (PCR Cases) Thanjavur to consider the bail application of the Petitioner concerned in Crime No.285/2024 on the file of the second respondent Police and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.

For Petitioner : Mr.R.Venkateshwar

For Respondents : Mr.A.Thiruvadikumar
No.1 and 2 Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to direct the I Additional District and Sessions Court (PCR Cases) Thanjavur to consider the bail application of the Petitioner concerned in Crime No.285/2024 on the file of the second respondent Police and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.

2. Heard the learned counsel appearing for the petitioner, 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 I Additional District and Sessions Court (PCR Cases) Thanjavur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.285 of 2024 on the file of the third respondent police and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under Section 15-A of the



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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.

12.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 13.12.2024



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To

1. The I Additional District and Sessions Court (PCR Cases) Thanjavur

2. The Deputy Superintendent of Police
Pattukottai Sub Division
Thanjavur District

3. The Inspector of Police
Thiruchitrambalam Police Station
Thanjavur 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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