



Crl.O.P.(MD)No.22457 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22457 of 2024

Annamalai

.. Petitioner

Vs.

1. The Assistant Commissioner of Police
Cantonment, Trichy City

2. The Inspector of Police
Cantonment Police Station
Trichy City

3. Soniya

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the I Additional District and Sessions Judge (Special Judge for PCR Cases), Trichy to consider and dispose of the bail application of the petitioner/accused no. 3 on the day of surrender in Crime No. 2132 of 2024 on the file of the respondent.

For Petitioner	: Mr.T.J.Ebenezer Charles
For Respondents	: Mr.K.Sanjai Gandhi
No.1& 2	Government Advocate(Crl.Side)



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ORDER

This Criminal Original Petition has been filed to direct the I Additional District and Sessions Judge (Special Judge for PCR Cases), Trichy to consider and dispose of the bail application of the petitioner/accused no. 3 on the day of surrender in Crime No. 2132 of 2024 on the file of the respondent.

2. Heard the learned counsel appearing for the petitioner, 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 I Additional District and Sessions Judge (Special Judge for PCR Cases), Trichy to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.2132 of 2024 on the file of the second respondent police and pass appropriate orders, in accordance



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with law, after affording due opportunity to the victim under Section 15-A of the 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.

19.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 20.12.2024



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To

1. The I Additional District and Sessions Judge
(Special Judge for PCR Cases), Trichy
2. The Assistant Commissioner of Police
Cantonment, Trichy City
3. The Inspector of Police
Cantonment Police Station
Trichy City
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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