



Crl.O.P.(MD)No.23020 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :27.12.2024

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.23020 of 2024

Balamurugan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Sivagangai Sub Division,
Sivagangai District.

2.The State of Tamil Nadu,
Represented by the Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
Crime No.386 of 2024.

3.Danabalan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS to direct the learned Special Court for Exclusive Trial of Cases under SC / ST (POA) Act, 1989, Sivagangai to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.386 of 2024, dated 10.12.2024 on the file of the respondents police.

For Petitioner : Mr.J.Yogeswaran

For R-1 & R-2 : Mr.M.Sakthi Kumar
Government Advocate (Criminal side)



Crl.O.P.(MD)No.23020 of 2024

ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the learned Special Court for Exclusive Trial of Cases under SC / ST (POA) Act, 1989, Sivagangai and to accept the surrender of the petitioner in Crime No.386 of 2024, dated 10.12.2024 on the file of the second respondent and to consider and pass orders on the bail application to be preferred by the petitioner on the same day itself.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate 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 limited prayer and the facts and circumstances of the case, there shall be a direction to the learned Special Court for Exclusive Trial of Cases under SC / ST (POA) Act, 1989, Sivagangai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 386 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



Crl.O.P.(MD)No.23020 of 2024

SC/ST (POA) Act, 1989. 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 on merits and in accordance with law.

5. With the above direction, this Criminal Original Petition stands disposed of.

27.12.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

BTR

To

1.The Deputy Superintendent of Police,
Sivagangai Sub Division,
Sivagangai District.

2.The Inspector of Police,
The State of Tamil Nadu,
Ilayangudi Police Station,
Sivagangai District.



Crl.O.P.(MD)No.23020 of 2024

WEB COPY

3.The Special Court for Exclusive Trial of Cases
under SC / ST (POA) Act, 1989,
Sivagangai.

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



WEB COPY



Crl.O.P.(MD)No.23020 of 2024

P. DHANABAL, J.,

BTR

Crl.O.P.(MD)No.23020 of 2024

27.12.2024