



Crl.O.P.(MD)No.23068 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :27.12.2024

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD)No.23068 of 2024

Samba Vaithiyanathan

... Petitioner

Vs.

The State Represented by

1.The Deputy Superintendent of Police,
The Deputy Superintendent of Police Office,
Papanasam Sub Division,
Thanjavur District.

2.The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
Crime No.831 of 2024.

3.Kalyani

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS to direct the learned I Additional District and Sessions Judge for (PCR Court), Thanjavur to accept the surrender of the petitioner and consider the bail application on the same date of surrender in connection with Crime No.831 of 2024 on the file of the second respondent police and pass such further or other orders as this Court.

For Petitioner

: Mr.B.Jameelarasu



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

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ORDER

This Criminal Original Petition has been filed to direct the learned I Additional District and Sessions Judge for (PCR Court), Thanjavur and to accept the surrender of the petitioner in Crime No.831 of 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 I Additional District and Sessions Judge for (PCR Court), Thanjavur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.831 of 2024 on the file of the second respondent police and pass appropriate orders, in accordance with law, after affording due opportunity



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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 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,
The Deputy Superintendent of Police Office,
Papanasam Sub Division,
Thanjavur District.

2.The Inspector of Police,
Ammappettai Police Station,
Thanjavur District.

3.The I Additional District and Sessions Judge for (PCR Court),
Thanjavur.

<https://www.mhc.tn.gov.in/judis>



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



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P. DHANABAL, J.,

BTR

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