



CrI.O.P.(MD)No.23010 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :27.12.2024

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

CrI.O.P.(MD)No.23010 of 2024

1.Sivachitra @ Vanmathi

2.B.Mayakannan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Usilampatti Taluk,
Madurai District.

2.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
Crime No.281 of 2023.

3.Nagalakshmi

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS to direct the III Additional District and Sessions Court Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), Madurai to accept the surrender of the petitioners and consider their bail application and grant bail on the same date of surrender itself in connection with the case in Crime No.281 of 2023, on the file of the second respondent police and to pass such other order as this Court.



Crl.O.P.(MD)No.23010 of 2024

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

ORDER

This Criminal Original Petition has been filed to direct the III Additional District and Sessions Court Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merit relating to Crime No.281 of 2023.

2. Heard the learned counsel appearing for the petitioners, 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 III Additional District and Sessions Court Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), Madurai to consider the petitioners bail application, preferably on the same day of their surrender in connection with

<https://www.mhc.tn.gov.in/> Crime No.281 of 2023 on the file of the second respondent police and pass



Crl.O.P.(MD)No.23010 of 2024

appropriate orders, in accordance with law, 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 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,
Usilampatti Taluk,
Madurai District.

2.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.



Crl.O.P.(MD)No.23010 of 2024

3.The III Additional District and Sessions Court Special Court for
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act),
Madurai.

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



WEB COPY



Crl.O.P.(MD)No.23010 of 2024

P. DHANABAL, J.,

BTR

Crl.O.P.(MD)No.23010 of 2024

27.12.2024