



Crl.O.P.(MD)No.312 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.01.2025**

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.312 of 2025

1.Ponraman
2.P.Kalavathi
3.P.Stephyriya

... Petitioners

Vs.

1.The Assistant Commissioner of Police,
O/o. the Assistant Commissioner of Police,
Thilagar Thidal Range, Madurai city.

2.The Sub Inspector of Police,
C5, Karimedu Police Station,
Madurai City.
(In Cr.No.625/2024)

3.Ramakrishnan.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the III Additional District and Sessions Court for SC/ST (PCR) Act cases, Madurai to consider the bail petition of the petitioners on the very same day of surrender in Cr.No.625 of 2024 on the file of the second respondent, The Sub Inspector of Police, C5, Karimedu Police Station, Madurai City.



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For Petitioners : Mr.M.Murali
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the learned III Additional District and Sessions Court for SC/ST (PCR) Act cases, Madurai, to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Crime No. 625 of 2024 on the file of the second respondent police.

2. Heard the learned counsel appearing for the petitioners, 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 learned III Additional District and Sessions Court for



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SC/ST (PCR) Act cases, Madurai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.625 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 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. 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.

NCC : Yes / No
Index : Yes / No

08.01.2025



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M.NIRMAL KUMAR, J.

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To:-

- 1.The III Additional District and Sessions Judge,
The III Additional District and Sessions
Court for SC/ST (PCR) Act cases,
Madurai.
- 2.The Assistant Commissioner of Police,
O/o. the Assistant Commissioner of Police,
Thilagar Thidal Range, Madurai city.
- 3.The Sub Inspector of Police,
C5, Karimedu Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.312 of 2025

Dated:
08.01.2025