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Crl.O.P.(MD) No.710 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD) No.710 of 2025

1.Sumathi

2.Suresh

... Petitioners

Vs.

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

2.The State of Tamil Nadu,
The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
(Crime No.20 of 2024)

3.Chandra

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to direct the learned III Additional District and Sessions Judge (PCR) Cases, Madurai, to consider the bail application of the petitioners on the same day of their surrender, if any petition filed by the petitioners in Crime No. 20 of 2024, dated 05.08.2024, on the file of the second respondent police.



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Crl.O.P.(MD) No.710 of 2025

For Petitioners : Mr.R.Babu Jaganath

For R1 & R2 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to direct the learned III Additional District and Sessions Judge (PCR) 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.20 of 2024 dated 05.08.2024 on the file of the second respondent police.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first and respondents, 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 Judge (PCR) Cases, Madurai, to consider the bail application of the petitioners, preferably on the same day of their surrender in connection with Crime No.20 of 2024 on the file



Crl.O.P.(MD) No.710 of 2025

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 disposed of.

20.01.2025

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order/Non-Speaking Order

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Issue Order copy on 24.01.2025.



Crl.O.P.(MD) No.710 of 2025

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- 1.The III Additional District and Sessions Judge (PCR) Cases,
Madurai.
- 2.The Deputy Superintendent of Police,
Madurai District, Madurai.
- 3.The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.710 of 2025

M.NIRMAL KUMAR, J.

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