



Crl.O.P.(MD)No.945 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.01.2025

CORAM

THE HONOURABLE MS.JUSTICE R.POORNIMA

Crl.O.P.(MD)No.945 of 2025

Elanchezhayan

.. Petitioner / Accused No.3

Vs.

1.State of Tamil Nadu

Rep. By the Deputy Superintendent of Police,
Kallagudi Police Station,
Lalgudi Taluk,
Tiruchirappalli District.

2. The Inspector of Police,
Kallagudi Police Station,
Lalgudi Taluk,
Tiruchirappalli District.
Crime No.204/2024

... 1 & 2 Respondents / Complainant

3.Valarmathi

... 3rd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned 1st Additional District Judge at Tiruchirappalli to accept the surrender and consider the bail petition to be filed by the petitioner in Crime No.204 of 2024 on the file of the respondent police on the same day on merits.



WEB COPY



Crl.O.P.(MD)No.945 of 2025

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
for R1 & R2

ORDER

This Criminal Original Petition has been filed to direct the 1st Additional District Judge, Tiruchirappalli to consider the bail application of the petitioner on the same day of his surrender before the Court in connection with Crime No.204 of 2024 on the file of the respondent police.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor 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 1st Additional District Judge at Tiruchirappalli to consider the petitioner's bail application, preferably on the same day of his surrender in connection



Crl.O.P.(MD)No.945 of 2025

with Crime No.204 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 petitioner shall surrender before the concerned jurisdictional Court, within a period of two weeks, 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. 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.

17.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
rmi/pal



Crl.O.P.(MD)No.945 of 2025

To

- 1.The 1st Additional District Judge at Tiruchirappalli.
- 2.The Deputy Superintendent of Police,
Kallagudi Police Station,
Lalgudi Taluk,
Tiruchirappalli District.
3. The Inspector of Police,
Kallagudi Police Station,
Lalgudi Taluk,
Tiruchirappalli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.945 of 2025

R.POORNIMA,J.

rmi/pal

Crl.O.P.(MD)No.945 of 2025

17.01.2025