



*Crl.O.P.(MD)No.1346 of 2025*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 24.01.2025**

**CORAM**

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

**Crl.O.P.(MD)No.1346 of 2025**

1. Kishore

2. Ukkirapandi

3. Prema @ Pramma Thevan

4. Santhosh

.. Petitioners

Vs

1. The Deputy Superintendent of Police,  
Usilampatti Sub Division,  
Madurai District.

2. State rep by  
Inspector of Police,  
Usilampatti Town Police Station,  
Madurai District.  
(Crime No.26/2025)

3. Athisesan

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 528 of BNSS,  
To direct the III Addl. District and Sessions Judge (PCR Court), Madurai  
to consider the bail application of the Petitioners/Accused in Cr.No.26 of  
2025 on the file of the 2nd Respondent Police on the same day of  
surrender on merits.



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For Petitioners : Mr. Kishore  
For Respondents : Mr.K.Sanjai Gandhi  
Government Advocate  
(Criminal Side)

### **ORDER**

This Criminal Original Petition has been filed to direct the learned Sessions Judge, III District and Sessions Judge (PCR ) Cases, Madurai to consider the petitioners bail application and dispose the bail application on the same day in Crime No. 26 of 2025 on the file of the R2.

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 III District and Sessions Court (PCR ) Cases, Madurai



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to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.26 of 2025 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.

**24.01.2025**

NCC : Yes/No

Index : Yes / No

Internet : Yes / No

**Note: Issue order copy on 28.01.2025**



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To

1. The III District and Sessions Judge, (PCR ) Cases, Madurai

2. The Deputy Superintendent of Police,  
Usilampatti Sub Division,  
Madurai District.

3. The Inspector of Police,  
Usilampatti Town Police Station,  
Madurai District.

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



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**M.NIRMAL KUMAR, J.**

PNM

ORDER IN  
**Crl.O.P.(MD)No.1346 of 2025**

**24.01.2025**