



CrI.O.P.(MD)No.9053 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.05.2025

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THE HONOURABLE MR. JUSTICE P.VADAMALAI

CrI.O.P.(MD)No.9053 of 2025

Mukilan @ Mugilan

... Petitioner

versus

The State rep.

1. The Deputy Superintendent of Police,
The Deputy Superintendent of Police Office,
Pattukkottai,
Thanjavur District.

2. The Inspector of Police,
Madukkur Police Station,
Thanjavur District.

3. Vijayakumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to direct the learned I Additional District and Sessions Judge for PCR Cases, Thanjavur to accept the surrender of the petitioner and consider the bail application on the date of surrender in connection with Crime No.188 of 2025 on the file of the 2nd respondent Police.



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For Petitioner : Mr.B.Jameel Arasu
Advocate

For R1 and R2 : Mr.K.Gnanasekaran,
Government Advocate (CrI. Side)

ORDER

This petition has been filed seeking for a direction to the learned I Additional District and Sessions Judge for PCR Cases, Thanjavur, to consider and dispose of the petitioner's bail application on the same day of his surrender in respect of Crime No.188 of 2025 on the file of the second respondent police.

2. 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 I Additional District and Sessions Judge for PCR Cases, Thanjavur, to consider the petitioner's bail application on merits, preferably on the same day of his surrender in connection with Crime No. 188 of 2025 on the file of the second respondent and pass appropriate



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orders in accordance with law after affording due opportunity to the victim under Section 15(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The petitioner 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.

3. 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 favourably.

4. With the above direction, the Criminal Original Petition stands allowed.

22.05.2025
(PVMJ)

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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To

1. The I Additional District and Sessions Judge
for PCR Cases,
Thanjavur.
2. The Deputy Superintendent of Police,
The Deputy Superintendent of Police Office,
Pattukkottai,
Thanjavur District.
3. The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

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Order made in
CrI.O.P.(MD)No.9053 of 2025

22.05.2025