



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2020

CORAM

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

CRL.O.P (MD) No.11920 of 2020

1.Meena @ Jeya Meena

2.Priyan Bala

: Petitioners / Accused Nos.3 & 4

Vs.

1. The State represented by
The Deputy Superintendent of Police,
Periyakulam,
Theni District.

: 1st Respondent/Investigation Officer

2. The Sub-Inspector of Police,
Devadanapatti Police Station,
Theni District.
(Crime No.1306 of 2020)

: 2nd Respondent/Complainant

3.Loganathan

: 3rd Respondent/Defacto Complainant

4.Paramasivan

5.Jackkammal

: Respondents 4 & 5/Victims

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions court cum P.C.R. Court, Theni, to consider the bail application of the petitioners on the very same day of their surrender and to release them on bail on the very same day itself, in connection with the FIR., in Crime No.1306 of 2020, pending investigation before the first respondent.

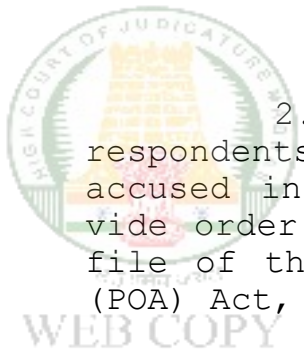
For Petitioners : Mr.M.S.Jeyakarthik

For R-1 & R-2 : Mr.K.Karmegam

Government Advocate

O R D E R

This Criminal Original Petition has been filed seeking for a direction to direct the learned Sessions Judge, P.C.R. Court, Theni, to consider the bail application of the petitioners on the very same day of their surrender and to release them on bail on the very same day itself, in connection with the F.I.R., in Crime No.1306 of 2020, pending investigation before the first respondent.



2. The learned Government Advocate appearing for the respondents 1 and 2, on instructions, would submit that the co-accused in this case were already arrested and released on bail, vide order dated 28.08.2020, made in Cr.M.P.No.259 of 2020, on the file of the learned Special Court for Trial of Cases, under SC/ST (POA) Act, Theni.

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 of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Sessions Judge, P.C.R. Court, Theni, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 1306 of 2020, on the file of the second respondent 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. In view of the above, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg/das

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

- 1.The Sessions Judge, P.C.R. Court,
Theni.
- 2.The Deputy Superintendent of Police,
Periyakulam, Theni District.
- 3.The Sub-Inspector of Police,
Devadanapatti Police Station,
Theni District.



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

+1 CC to Mr.M.S.JEYAKARTHIK, Advocate SR-20634.

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