



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.9266 of 2021

Vairamuthu @ Sangilimuthu ... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.

2.The Inspector of Police,
Jayamangalam Police Station,
Theni District.
(Crime No.207 of 2021)

...Respondents 1 & 2 /Complainant

3.Lingammal

...Respondent/Defacto Complainant

4.Ganesamoorthy

...Respondent/Victim

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for Trial of Cases SC/ST (POA) Act, Theni to consider the bail application to be filed by the petitioner on the same day of his surrender in connection with crime no.207 of 2021, on the file of the second respondent.

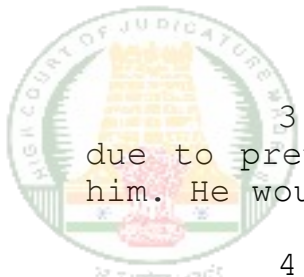
For Petitioner : Mr.R.Venkateshwaran

For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Crl.side)

ORDER

This petition is filed to direct the Special Court for Trial of Cases SC/ST (POA) Act, Theni to consider the bail application to be filed by the petitioner on the same day of his surrender in connection with Crime No.207 of 2021, on the file of the second respondent.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor (Crl.side) would submit that this petitioner has involved in Crime No.204 of 2021, for the offences punishable under Sections 147,148, 294(b),323, 324,506(ii),3(1) (r), 3(1) (s) & 3(2) (va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015. He moved an application in Crl.O.P(MD) No.8743 of 2021 and got a direction on 05.07.2021. After getting direction, he again involved in crime, which has been reported in this case in Crime No.207 of 2021 for the offences punishable under Sections 147, 148, 341, 294(b), 324, 307,427 & 506(ii), 3(1) (r), 3(1) (s) & 3(2) (v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015.



3. The learned counsel for the petitioner would submit that due to previous enmity such false complaint has been given against him. He would further submit that a direction may be issued.

4. Considering the facts and circumstances of the case and also considering the submission made by the learned Additional Public Prosecutor, a mere direction cannot be issued by this Court by exercising its jurisdiction under Section 482 Cr.P.C, in such cases. It is clear that the petitioner is misusing the order of this Court.

5. In view of the above, this Court is not inclined to issue a direction. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.

2.The Inspector of Police,
Jayamangalam Police Station,
Theni District.
(Crime No.207 of 2021)

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

Cr1.O.P. (MD)No.9266 of 2021

13.07.2021

RD(26.07.2021) 2P 4C