



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.OP(MD)No.3018 of 2022

P.Sekar

... Petitioner/Accused No.1

Vs

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Theni District.

2.The Sub-Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.50 of 2022).

... Respondent Nos.1 & 2/Complainant

3.A.Selvam

... 3rd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Theni to consider the bail application to be filed by the petitioner on the same day of their surrender in Crime No.50 of 2022 on the file of the second respondent.

For Petitioner : Mr.R.Senthil Kumar

For RR 1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed for a direction to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Theni, to consider the bail application of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in connection with Crime No.50 of 2022 on the file of the second respondent.

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 of the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Sessions Judge,



Special Court for SC/ST (POA) Act, Theni, to consider the petitioner bail application, preferably on the same day of his surrender in connection with Crime No.50 of 2022 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 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. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar (T AND P)

// True Copy //

14/02/2022

Sub Assistant Registrar(CS IV)

ps

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, Special Court for SC/ST(POA), ACT, Theni.
- 2.The Deputy Superintendent of Police, Office of the Deputy Superintendent of Police, Theni District.
- 3.The Sub-Inspector of Police, Thenkarai Police Station, Theni District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

1CC TO MR. R.SENTHILKUMAR, ADVOCATE SR:5853

MGJ 14/2/2022 2P.6C

Order made in **Cr1.OP(MD)No.3018 of 2022**
11.02.2022