



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.3658 of 2022

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... Petitioner

Vs

1.State represented through
The Deputy Superintendent of Police,
Theni Sub Division,
Theni District.

2.The Sub Inspector of Police,
Palanichettipatti Police Station,
Theni District.
(Crime No.63 of 2022)

3. Raghu

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Hon'ble Special Court for under the SC/ST Act (POA),Theni District to consider the bail application of the Petitioner on the same day of surrender in Crime No.63 of 2022 on the file of the 2nd Respondent Police.

For Petitioner : Mr.M.Prabu

For Respondents : Mr.R.M.Anbunithi
No.1 and 2 Additional Public Prosecutor

O R D E R

This petition is filed for a direction to direct the Special Court for under the SC/ST Act (POA),Theni District to consider the bail application of the Petitioner on the same day of surrender in Crime No.63 of 2022 on the file of the 2nd 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 Special Court for under the SC/ST Act (POA),Theni District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 63 of 2022 on the file of the 2nd 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's 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.

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Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Special Court for under the SC/ST Act (POA),Theni District

2.The Deputy Superintendent of Police,
Theni Sub Division,
Theni District.

3.The Sub Inspector of Police,
Palanichettipatti Police Station,
Theni District.
(Crime No.63 of 2022)

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

+1 CC to M/s.M.PRABU, Advocate (SR-8203[F] dated 23/02/2022)

Order made in

CRL.O.P (MD) No.3658 of 2022

23.02.2022

pk(CO)

TR(24.02.2022) 2P 6C