



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.4065 of 2022

1. Saravanan

2. Velayutham

3. Nagaraj

4. Pakkiyaraj @ Packiyarasu

5. Veeranan

6. Karthik @ Karthickayn

... Petitioners/Accused 1 to 6
Vs

1. The Deputy Superintendent of Police
Thirumangalam
Madurai District

2. The Inspector of Police
Perungudi Police Station
Madurai District
(Cr. No. 360 of 2016)

... Respondents/Respondents

3. Sivakumar ... 3rd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the III Additional District and Sessions Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Attrocities) Act at Madurai to consider the bail application on the same day on merits in accordance with law in the event of surrender of the petitioner in connection with Crime No. 360 of 2016 pending on the file of the respondent.

For Petitioners	:	M/s.V.Manikandan
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 III Additional District and Sessions Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Attrocities) Act at Madurai to consider the bail application on the same day on merits in accordance with law in the event of surrender of the petitioner in connection with Crime No. 360 of 2016 pending on the file of the 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 the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the III Additional District and Sessions Court for the Scheduled Castes and the Scheduled Tribes (Prevention of Attrocities) Act at Madurai, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 360 of 2016 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 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.

3. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. III Additional District and Sessions Court
for the Scheduled Castes and the Scheduled Tribes
(Prevention of Attrocities) Act at Madurai

2. The Deputy Superintendent of Police
Thirumangalam, Madurai District

3. The Inspector of Police
Perungudi Police Station, Madurai District

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

+1 CC to M/s.V.MANIKANDAN, Advocate (SR-9401[F] dated 02/03/2022)

Order made in

CRL.O.P (MD) No.4065 of 2022

02.03.2022

KMK(CO)

TR(03.03.2022) 2P 6C