



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.4058 of 2022

WEB COPY

D.Chella Pandi

... Petitioner/Accused No.2
Vs

1. The State Rep. by its
The Deputy Superintendent of Police,
Peraiyur Sub Division
Madurai District
2. The Inspector of Police
Thirumangulam Taluk Police Station
Madurai District
(Cr. No. 35/2016) ... 1 & 2nd Respondents / Complainants
3. K.Rathinam ... 3rd Respondents / Defacto complainant

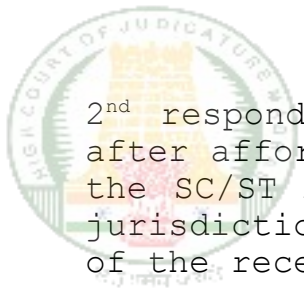
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District and Session's Judge (PCR cases), Madurai, to consider the bail application on the surrender of the Petitioner/Accused No. 2 on the same day in connection with Crime No.35 of 2016 on the file of the 2nd respondent police, on merits on the same day.

For Petitioners	:	M/s.J.Jeyakumaran
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 learned III Additional District and Session's Judge (PCR cases), Madurai, to consider the bail petition of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in crime No.35 of 2016 on the file of the 2nd 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 learned III Additional District and Session's Judge (PCR cases), Madurai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 35 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 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.

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

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The III Additional District and Session's Judge (PCR cases),
Madurai

2. The Deputy Superintendent of Police,
Peraiyur Sub Division
Madurai District

3. The Inspector of Police
Thirumangulam Taluk Police Station
Madurai District

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

+1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-9644[F] dated 03/03/2022)

Order made in

CRL.O.P (MD) No.4058 of 2022

02.03.2022

SE(CO)

TR(03.03.2022) 2P 6C