



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4537 of 2022

Petchiyammal

... Petitioner/Accused No.3

Vs.

1.The State represented by
The Deputy Superintendent of Police,
Theni,
Theni District.

2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
(Crime No.77 of 2022)

... Respondents/Complainants

3.Muthuselvi

... 3rd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned **(*)Special Court for SC/ST(POA)Act, Theni, Theni District**, to consider the petitioner's bail application on the date of surrender on the same day in Crime No.77 of 2022 on the file of the Inspector of Police, Uthamapalayam Police Station, Theni District for the offences under Sections 294(b), 323, 506(i) read with 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST (POA) Act.

For Petitioner : Mr.J.Senthil Kumar

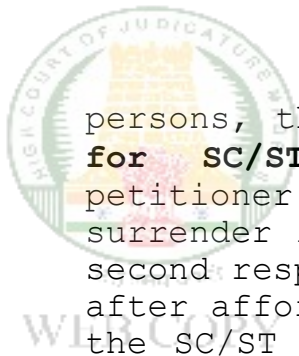
For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl.Side)
for R.1 & R.2

ORDER

This Criminal Original Petition has been filed to direct the learned **(*)Special Court for SC/ST(POA)Act, Theni, Theni District**, to consider the petitioner's bail application on the same date of surrender on the same day in Crime No.77 of 2022 on the file of the second 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 learned **(*)Special Court for SC/ST(POA)Act, Theni, Theni District,** to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.77 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 (AS)

**(*)Amended vide court order dated 29.03.2022
in CRL MP(MD).4049 of 2022 in CRL OP(MD).4537 of 2022**

Sd/-

Assistant Registrar (CS-I)

// True Copy //

11/03/2022

Sub Assistant Registrar(CS)

mga

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

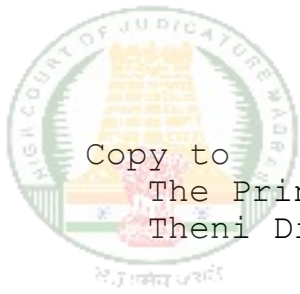
(*)to be substituted the order already despatched on 11.03.2022

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

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

3.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

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



Copy to
The Principal District & Sessions Judge,
Theni District, Theni.

CrI.O.P(MD)No.4537 of 2022
10.03.2022

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ss (CO)

GC(11.03.2022) 3P 5C

TR(30.03.2022) 3P 6C