



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.5305 of 2022

Vannirasu ... Petitioner/ Sole Accused
Vs

1.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District. ... Respondent/ Complainant

2. The Inspector of Police
Chatrakudi Police Station
Ramanathapuram District

3. Chinnakuppusamy ... Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the District and Sessions Judge, Special Court for Trial of Cases registered under SC/ST (POA) Act 1989, Ramanathapuram to accept the surrender of the petitioners and consider petitioners bail application and grant bail on the date of surrender itself in Crime No.61 of 2022

For Petitioner : Mr.D.Balamurugapandi

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 District and Sessions Judge, Special Court for Trial of Cases registered under SC/ST (POA) Act 1989, Ramanathapuram to accept the surrender of the petitioners and consider petitioners bail application and grant bail on the date of surrender itself in Crime No.61 of 2022

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 District and Sessions Judge, Special Court for Trial of Cases registered under



SC/ST (POA) Act 1989, Ramanathapuram , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 61 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 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. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders. Mere direction issued by this Court to consider the bail petition on the same day does not amount to consider it favourably.

4. With the above direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar

To

1.The District and Sessions Judge,
Special Court for Trial of Cases registered under SC/ST
(POA) Act 1989, Ramanathapuram.

2.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District

3. The Inspector of Police
Chatrakudi Police Station
Ramanathapuram District

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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-13603[F] dated 22/03/2022)

Order made in
CRL.O.P (MD) No.5305 of 2022
22.03.2022

AAV

MS/22.03.2022/2P.6C