



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.5331 of 2022

WEB COPY

1. Natrayan
 2. Karuppasamy
 3. Rathinasamy
 4. Valarmathi
 5. Soliyammal
 6. Pandeewari @ Pandiyammal ... Petitioners/Accused 1 to 6
- Vs

1. The Deputy Superintendent of Police
Theni Division, Theni District
2. The Inspector of Police
Palanichettypatti Police Station
Theni District ... 1st & 2nd Respondents / Complainants
3. Kalidass ... 3rd Respondent / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Judge (Special Court) for SC/ST (POA) Act Cases), Theni to consider their bail application on the same day of their surrender in respect of Crime No. 92 of 2022 on the file of the second respondent.

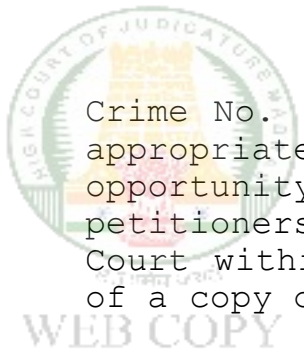
For Petitioners : Mr.D.Venkatesh

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

O R D E R

This petition is filed for a direction to direct the learned Principal District and Sessions Judge (Special Court) for SC/ST (POA) Act Cases), Theni to consider their bail application on the same day of their surrender in respect of Crime No. 92 of 2022 on the file of the second 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 Principal District and Sessions Judge (Special Court) for SC/ST (POA) Act Cases), Theni , to consider the petitioner's bail application, preferably on the same day of their surrender in connection with



Crime No. 92 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 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. 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 petitioners 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(Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Principal District and Sessions Judge
(Special Court) for SC/ST (POA) Act Cases), Theni
2. The Deputy Superintendent of Police
Theni Division, Theni District
3. The Inspector of Police
Palanichettypatti Police Station
Theni District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in

CRL.O.P (MD) No.5331 of 2022

22.03.2022

kmv (CO)

TR(23.03.2022) 2P 5C