



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 25.03.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

**CRL.O.P (MD) No.5537 of 2022**

1. Suresh
2. Senthil
3. Srinivasan

... Petitioners/Accused No.1 to 3  
Vs

1. The Deputy Superintendent of Police,  
K.Pudupatty Police Station Division,  
Pudukkottai District.

2. The Inspector of Police  
K.Pudupatty Police Station  
Pudukkottai District.  
(Crime No. 36 of 2022)

... Respondents/Complainants

3. Manjula

... Respondent/Defacto Complainant/  
Victim

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for Trial of SC/ST(POA) Act, Cases to consider the bail application to be filed by the petitioners on the same day on their surrender in connection with crime No.36/2022 on the file of the 2<sup>nd</sup> respondent.

For Petitioners : Mr.A.Arun Prasad  
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 Special Court for Trial of SC/ST(POA) Act, Cases, Pudukkottai to consider the bail application to be filed by the petitioners on the same day on their surrender in connection with crime No.36/2022 on the file of the 2<sup>nd</sup> 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 Special Court for Trial of SC/ST(POA) Act , Pudukkottai to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 36 of 2022 on the file of the 2<sup>nd</sup> 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 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 (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Judge,  
The Special Court for Trial  
of SC/ST(POA) Act Cases,  
Pudukottai
2. The Deputy Superintendent of Police,  
K.Pudupatty Police Station Division,  
Pudukkottai District.
3. The Inspector of Police  
K.Pudupatty Police Station  
Pudukkottai District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Order made in

**CRL.O.P (MD) No.5537 of 2022**

**25.03.2022**

MA (CO)

GC (28.03.2022) 2P 5C