



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.5551 of 2022

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1. M.Chelladurai
2. Murugan @ Pathamadai Murugan ... Petitioners/Accused 4 & 5
Vs

1. The State rep. by
The Assistant Commissioner of Police,
Tirunelveli,
Tirunelveli District.

2. The Inspector of Police
Perumalpuram Police Station
Tirunelveli District.
(Crime No. 54 of 2022) ... Respondent/Complainant

3. Valli ...Respondent/Defacto Complainant

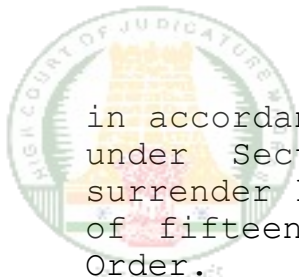
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue necessary direction to learned II Additional District and Sessions Judge(Special Court for SC/ST Act cases) Tirunelveli and pass orders on bail application to be filed by the petitioner in connection with Crime No.54 of 2022 pending on the file of the second respondent.

For Petitioners : Mr.S.Muthumalai Raja
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 II Additional District and Sessions Judge(Special Court for SC/ST Act cases) Tirunelveli and pass orders on bail application to be filed by the petitioner in connection with Crime No.54 of 2022 pending 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 II Additional District and Sessions Judge(Special Court for SC/ST Act cases) Tirunelveli to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 54 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 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.

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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(CS)

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To

1. The II Additional District and Sessions Judge
(Special Court for SC/ST Act cases) Tirunelveli
2. The Assistant Commissioner of Police,
Tirunelveli,
Tirunelveli District.
3. The Inspector of Police
Perumalpuram Police Station
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MUTHUMALAIRAJA, Advocate (SR-14458[F]
dated 25/03/2022)

Order made in

CRL.O.P (MD) No.5551 of 2022

25.03.2022

srr(CO)

GC(28.03.2022) 2P 6C