



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.5702 of 2022

Chockalingam

... Petitioner

Vs

1.State Represented through

The Assistant Commissioner of Police,
Melapalayam,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,

Perumalpuram Police Station,
Tirunelveli City,
Tirunelveli.

3.Valli

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Additional District and Sessions Judge (Special Court for Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act Cases (PCR Unit), Tirunelveli to consider the bail application of the petitioner on the same day of surrender in Crime No.54 of 2022 on the file of the 2nd respondent police station.

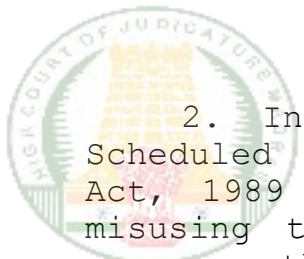
For Petitioners : Mr.R.Karunanidhi

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 Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act Cases (PCR Unit), Tirunelveli to consider the bail application of the petitioner on the same day of surrender in Crime No.54 of 2022 on the file of the 2nd respondent police station.



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 Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act Cases (PCR Unit), Tirunelveli, to consider the petitioners bail application, preferably on the same day of his 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 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 (P&A)

// True Copy //

29/03/2022

Sub Assistant Registrar(CS)

To

1. The II Additional District and Sessions Judge
(Special Court for Scheduled Caste and Schedule Tribe
(Prevention of Atrocities) Act Cases (PCR Unit), Tirunelveli

2.The Assistant Commissioner of Police,
Melapalayam, Tirunelveli City, Tirunelveli.

3.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City, Tirunelveli.

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

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-2575[I] dated 28/03/2022)

Order made in

CRL.O.P (MD) No.5702 of 2022

28.03.2022

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