



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.5959 of 2022

1.Panchavarnam

2.Vijaya @ Vijayalakshmi

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Kamuthi,
Ramanathapuram District.

2.The Inspector of Police,
Kovilankulam Police Station,
Ramanathapuram District.
(Crime No.12 of 2022)

3.Ramar

... Respondents

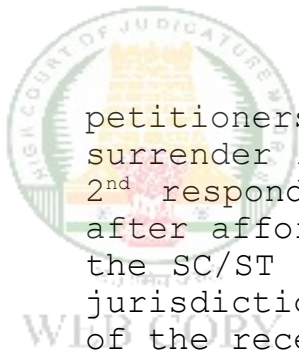
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned Special Court for Trial Cases under SC/ST Act, Ramanathapuram to accept the surrender and consider the bail application to be filed by the petitioners on the same day on merits in Crime No.12 of 2022 on the file of the second respondent.

For Petitioners : Mr.T.Veerakumar
For R-1 and R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed for a direction to direct the learned Special Court for Trial Cases under SC/ST Act, Ramanathapuram to accept the surrender and consider the bail application to be filed by the petitioners on the same day on merits in Crime No.12 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 Special Court for Trial Cases under SC/ST Act, Ramanathapuram, to consider the



petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.12 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.

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(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Special Court for Trial Cases under SC/ST Act,
Ramanathapuram.

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

3.The Inspector of Police,
Kovilankulam Police Station,
Ramanathapuram District.

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

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-15600[F] dated 31/03/2022

Crl.O.P(MD) .No.5959 of 2022

31.03.2022

SR(CO)

TR(01.04.2022) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>