



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.5958 of 2022

Surulivel

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

2.The Inspector of Police,
Jeyamangalam Police Station,
Theni District.
(Crime No.60 of 2022)

3.Gunasekaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned Special District and Sessions Court for (SC/ST Act Cases), Theni District to consider the bail application of the petitioner concerned in Crime No.60/2022 dated on 23.03.2022 on the file of the second respondent police and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.

For Petitioner : Mr.S.Vikram

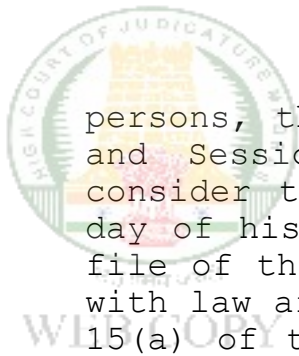
For R-1 and R-2 : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed for a direction to direct the learned Special District and Sessions Court for (SC/ST Act Cases), Theni District to consider the bail application of the petitioner concerned in Crime No.60 of 2022 dated 23.03.2022 on the file of the second respondent police and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.

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 District and Sessions Court for (SC/ST Act Cases), Theni District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.60 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(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 District and Sessions Court for (SC/ST Act Cases),
Theni District.
- 2.The Deputy Superintendent of Police,
Periyakulam, Theni District.
- 3.The Inspector of Police,
Jeyamangalam Police Station, Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.VIKRAM, Advocate (SR-15767[F] dated 31/03/2022)

Crl.O.P(MD) .No.5958 of 2022

31.03.2022

pk(CO)

TR(01.04.2022) 2P 6C