



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.6134 of 2022

Nanthakumar

... Petitioner

Vs

1.State through
The Deputy Superintendent of Police,
Sankarankovil Taluk,
Tenkasi District.

2.The Inspector of Police,
KV Nallur Police Station,
Tenkasi District.
(Crime No.94/2022)

3. Gurusamy

4. De Mathew

5. Manikandan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Additional Sessions court, (PCR court), Tirunelveli to consider the petitioners bail applications on the same day of surrender in Crime No. 94 of 2022 dated 21.02.2022 on the file of the 2nd respondent police.

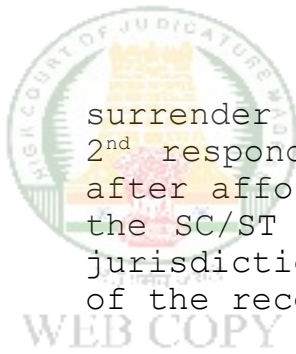
For Petitioner : Mr.K.Prabhu

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 II Additional Sessions court, (PCR court), Tirunelveli to consider the petitioners bail applications on the same day of surrender in Crime No. 94 of 2022 dated 21.02.2022 on the file of the 2nd respondent police.

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 2nd Additional District and Sessions Judge Tirunelveli, to consider the bail application, preferably on the same day of his



surrender in connection with Crime No. 94 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-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The II Additional Sessions Judge, PCR Court,
Tirunelveli.

2.The Deputy Superintendent of Police,
Sankarankovil Taluk,
Tenkasi District.

3.The Inspector of Police,
KV Nallur Police Station,
Tenkasi District.

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

+1 CC to M/s.K.PRABHU, Advocate (SR-16379[F] dated 04/04/2022)

Order made in

CRL.O.P (MD) No.6134 of 2022

04.04.2022

kmv (CO)

TR(05.04.2022) 2P 6C