



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.6146 of 2022

M.J.Ameer Hussain

... Petitioner/Sole Accused

Vs

1.The Deputy Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The State represented by
The Inspector of Police
Ganesh Nagar Police Station
Pudukkottai,
Pudukkottai District.
(In Crime No.95 of 2022)

3.Nagarethinam

... Respondents/Complainants

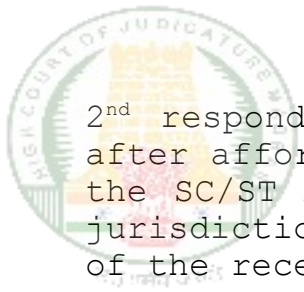
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for SC/ST (Prevention of Atrocities Act) Pudukkottai to consider the surrender and bail application filed by the petitioner in Crime No.95 of 2022, pending on the file of the second respondent police and to consider the bail application filed by the petitioner on the same day.

For Petitioner	:	Mr.J.Sulthan Basha
For Respondent	:	Mr.R.M.Anbunithi
Nos.1 and 2		Additional Public Prosecutor

O R D E R

This petition has been filed for a direction to direct the Special Court for SC/ST (Prevention of Atrocities Act) Pudukkottai to consider the surrender and bail application filed by the petitioner in Crime No.95 of 2022, pending on the file of the second respondent police and to consider the bail application filed by the petitioner on the same day.

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 Special Court for SC/ST (Prevention of Atrocities Act) Pudukkottai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 95 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.

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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-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

To

- 1.The Special Court for SC/ST
(Prevention of Atrocities Act),
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Pudukkottai District, Pudukkottai.
- 3.The Inspector of Police
Ganesh Nagar Police Station
Pudukkottai, Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.Sulthan Basha (AJMAL ASSOCIATES), Advocate
(SR-15960[F] dated 01/04/2022)

Order made in

CRL.O.P (MD) No.6146 of 2022

01.04.2022

SR(CO)

GC(01.04.2022) 2P 6C

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