



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.6311 of 2022

Malayarasan

... Petitioner/Accused No.6

Vs

1.The State rep. by

The Deputy Superintendent of Police,
Alankulam,
Alankulam Taluk,
Tenkasi District.

2.The Inspector of Police,
Uthumalai Police Station,
Uthumalai,
Tenkasi District.

... 1st & 2nd Respondents/Complainant

3. Parameshwari

...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Additional District & Sessions Judge, Special Court for Trial of cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrender before the II Additional District & Sessions Judge, Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli, for the case registered in Crime No.54 of 2022 on the file of the 2nd respondent, dated 23.03.2022.

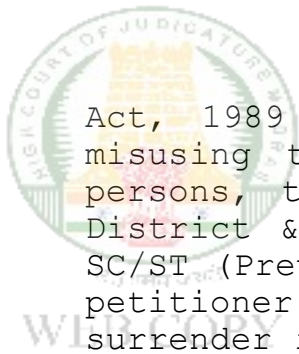
For Petitioner : Mr.P.Santhana Krishnan
For Respondents : Mr.R.M.Anbunithi
No.1 and 2 Additional Public Prosecutor

O R D E R

This petition is filed for a direction to direct the learned II Additional District & Sessions Judge, Special Court for Trial of cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrender before the II Additional District & Sessions Judge, Special Court for Trial of Cases under SC/ST (Prevention of Attrocities) Act, Tirunelveli, for the case registered in Crime No.54 of 2022 on the file of the 2nd respondent, dated 23.03.2022

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the petition is dismissed.

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



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 & Sessions Judge, Special Court for Trial of cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli, to consider the petitioner's 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 (AS)

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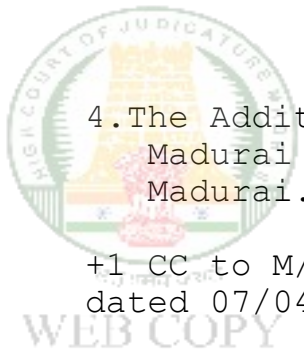
/ /2022

Sub Assistant Registrar(CS)

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To

1. The II Additional District & Sessions Judge,
Special Court for Trial of cases under SC/ST
(Prevention of Atrocities) Act, Tirunelveli
2. The Deputy Superintendent of Police,
Alankulam,
Alankulam Taluk,
Tenkasi District.
3. The Inspector of Police,
Uthumalai Police Station,
Uthumalai,
Tenkasi District.



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

+1 CC to M/s.P. SANTHANA KRISHNAN, Advocate (SR-17047[F]
dated 07/04/2022)

Order made in
CRL.O.P (MD) No.6311 of 2022
06.04.2022

SMV (CO)
GC (07.04.2022) 3P 6C