



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.6868 of 2022

WEB COPY

Vaithishwaran

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Pudukkottai.

2.The State represented by
The Inspector of Police
Gandarvakottai Police Station
Pudukkottai District.
(In Crime No.97 of 2022)

3.Ajaykumar

4.Nirmalkumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Pudukkottai to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to crime No.97 of 2022, dated 31.03.2022 on the file of the respondent police.

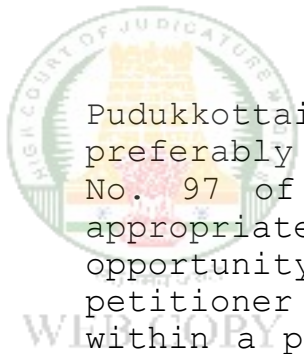
For Petitioner : Mr.P.Vadivel

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 learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, Pudukkottai to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to crime No.97 of 2022, on the file of the 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 Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act,



Pudukkottai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 97 of 2022 on the file of the respondent police 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(P&A)

// True Copy //

13/04/2022

Sub Assistant Registrar(CS)

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To

1.The Sessions Judge,

Special Court for Exclusive Trial
of Cases under SC/ST (POA) Act,
Pudukkottai

2.The Deputy Superintendent of Police,
Pudukkottai.

3.The State represented by
The Inspector of Police
Gandarvakottai Police Station
Pudukkottai District.

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

Order made in

CRL.O.P (MD) No.6868 of 2022

13.04.2022

sg(CO)

TR(13.04.2022) 2P 5C