



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P(MD) No.7064 of 2022

WEB COPY

M.Selvakumar

... Petitioner/
Sole Accused

Vs

1.The Deputy Superintendent of Police,
Sivakasi,
Virudhunagar District.

2.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Cr.No.113 of 2022)

... Respondent Nos.1 & 2/
Complainants

3. Gnanakaliraj

... Respondent No.3/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Principal District and Sessions Court, Virudhunagar District at Srivilliputtur (Special Court for SC/ST Act cases) to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.113 of 2022 on the file of the second respondent police.

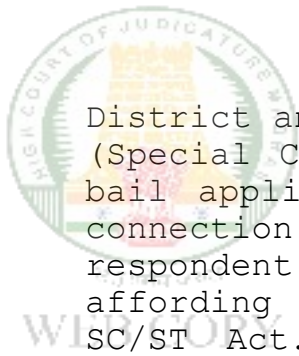
For Petitioner : Mr.M.Jothibas

For Respondents : Mr.R.M.Anbunithi
No.1 and 2 Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the Principal District and Sessions Court, Virudhunagar District at Srivilliputtur (Special Court for SC/ST Act cases) to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.113 of 2022 on the file of the second 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 Principal



District and Sessions Court, Virudhunagar District at Srivilliputtur (Special Court for SC/ST Act cases) to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 113 of 2022 on the file of the second 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 (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputtur
(Special Court for SC/ST Act cases)
- 2.The Deputy Superintendent of Police,
Sivakasi, Virudhunagar District.
- 3.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.M. LAW OFFICE, Advocate (SR-19209[F] dated 19/04/2022)

CRL.O.P (MD) No.7064 of 2022

18.04.2022

_RD(21.04.2022) 2P 6C