



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.7097 of 2022

Maruthu Pandi

... Petitioner/ Sole Accused
Vs

1.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Kottaipattinam Sub-Division,
Pudukkottai District.

2.The State represented by
The Inspector of Police,
Thiruppunaval Police Station,
Pudukkottai District.
(Cr.No.17 of 2022)

... 1 & 2 Respondents/ Complainants

3.Mariyappan

... 3rd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned Special Court for the Exclusive Trail of SC and ST Act Cases, Pudukkottai, to consider the bail application of the petitioners on the same day of surrender on merits in Crime No.17 of 2022 on the file of Respondent No.2 Police Station.

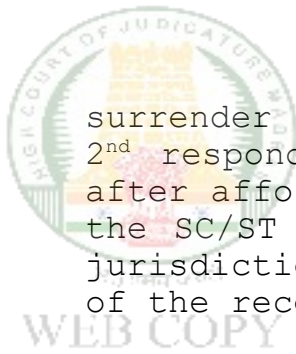
For Petitioner : Mr.S.M.A.Jinnah

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 Special Court for the Exclusive Trail of SC and ST Act Cases, Pudukkottai to consider the bail application of the petitioners on the same day of surrender on merits in Crime No.17 of 2022 on the file of Respondent No.2 Police Station.

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 Special Court for the Exclusive Trail of SC and ST Act Cases, Pudukkottai, to consider the petitioner's bail application, preferably on the same day of his



surrender in connection with Crime No. 17 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 (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Judge,
Special Court for the Exclusive Trail of SC and ST Act Cases,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Kottaipattinam Sub-Division,
Pudukkottai District.
- 3.The Inspector of Police,
Thiruppunaval Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.7097 of 2022

18.04.2022

_RD(21.04.2022) 2P 5C