



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.7152 of 2022

1.Nagarajan
2.Kannan

... Petitioners/Accused 1 & 4
Vs

1.The Deputy Superintendent of Police,
Kalayarkoil Police Station Division,
Sivagangai District.

2.The Inspector of Police,
Kalayarkoil Police Station,
Sivagangai District.
(Crime No.81 of 2022)

... Respondent 1 & 2/Complainant

3.Loorthumeri

... 3rd Respondent/
Defacto Complainant

4.Prammaiah

... 4th Respondent/Victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider the bail application to be filed by the petitioners on the same day on their surrender in connection with Crime.No.81 of 2022 on the file of the second respondent.

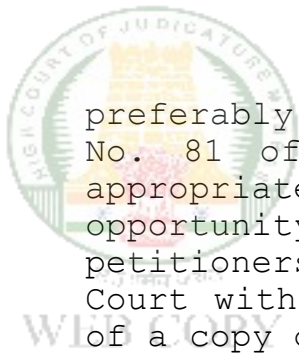
For Petitioners : Mr.A.Arunprasad

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 Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider the bail application to be filed by the petitioners on the same day on their surrender in connection with Crime.No.81 of 2022 on the file of the second respondent.

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 Additional District and Sessions Court for the exclusive trial of PCR Act Cases, Sivagangai, to consider the petitioners bail application,



preferably on the same day of his surrender in connection with Crime No. 81 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 petitioners 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 petitioners 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 (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Additional District and Sessions Court
for the exclusive trial of PCR Act Cases,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Kalayarkoil Police Station Division,
Sivagangai District.
- 3.The Inspector of Police,
Kalayarkoil Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC A.Arun Prasad, Advocate (SR.No.19946)

CRL.O.P (MD) No.7152 of 2022

19.04.2022

MGJ(20.04.2022) 2P 6C