



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.7147 of 2022

WEB COPY

1.Prabu

2.Karuppayee

... Petitioners/Accused No 1 & 2

Vs

1.The State represented by

The Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District.

2.The Sub-Inspector of Police,

Vadipatti Police Station,
Madurai District.

(Crime No.735 of 2020) ... Respondents/Complainant

3. Kannan

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned III Additional Sessions Court(PCR), Madurai District, to recall the Non-Bailable warrant issued on 01.04.2022 on the date of the petitioners surrender and consider their bail application on the same day in Spl.S.C.No.56 of 2021 on the file of the III Additional Sessions Court(PCR), Madurai District.

For Petitioners : Mr.M.Pitchai Muthu

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 learned III Additional Sessions Court(PCR), Madurai District, to recall the Non-Bailable warrant issued on 01.04.2022 on the date of the petitioners surrender and consider their bail application on the same day in Spl.S.C.No.56 of 2021 on the file of the III Additional Sessions Court(PCR), Madurai District.

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 III Additional Sessions Court(PCR), Madurai District, to consider the petitioner's



bail application, preferably on the same day of his surrender in connection with Crime No.735 of 2020 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 (AS)

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/ /2022

Sub Assistant Registrar (CS)

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To

- 1.The III Additional Session Judge (PCR),
Madurai, Madurai District.
- 2.Deputy Superintendent of Police,
Samayanallur Sub Division,
Madurai District.
- 3.The Sub-Inspector of Police,
Vadipatti Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in

CRL.O.P (MD) No.7147 of 2022

19.04.2022

ss (CO)

GC (21.04.2022) 2P 5C