



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.7313 of 2022

Petchiraja

...Petitioner/Accused Rank not known
Vs

1.The State represented by

The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.

... 1st Respondent/Respondent

2.The Inspector of Police,

Srivaikundam Police Station,
Thoothukudi District.

...2nd Respondent/Complainant

3. Mahesh

...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Special Court for Trial of Cases under SC/ST (POA)Act, Thoothukudi, to consider the bail application with sureties at the time of surrender of the petitioner in connection with Crime No.84 of 2022, dated 27/03/2022 is pending investigation on the file of the second respondent police.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.R.M.Anbunithi

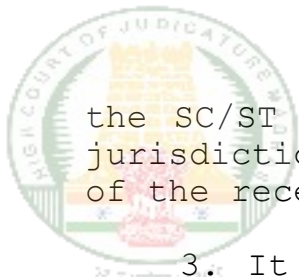
No.1 and 2

Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the Special Court for Trial of Cases under SC/ST(POA)Act, Thoothukudi, to consider the bail application with sureties at the time of surrender of the petitioner in connection with Crime No.84 of 2022, dated 27/03/2022 is pending investigation 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 Special Court for Trial of Cases under SC/ST(POA)Act, Thoothukudi, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.84 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 (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

To

1.The Special Judge,
The Special Court for Trial of Cases
under SC/ST(POA)Act,
Thoothukudi.

2.The Deputy Superintendent of Police,
Srivaikundam,
Thoothukudi District.

3.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.

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

+1cc to M/S.S.SARAVANAN,Advocate, SR.No.3557 DATED:20.04.2022

Order made in

CRL.O.P (MD) No.7313 of 2022

20.04.2022

sg (CO)

GC (21.04.2022) 2P 6C