



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.7541 of 2022

WEB COPY

1. Pandi @ Pandian

2. Perumayee

... Petitioners/Accused 1&2

Vs

1. The Deputy Superintendent of Police,
Aundipatti, Theni District

2. The Inspector of Police
Mayiladumparai Police Station
Theni District.

... 1&2 Respondents/Complainants

3. Vinith Kumar

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned special District and sessions court for SC/ST Act cases, Theni District to consider the bail application of the petitioners concerned in Cr.No.35 of 22 dt 11.04.22 on the file of the second respondent police and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioners.

For Petitioners : Mr.S.Vikram

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 District and sessions court for SC/ST Act cases, Theni District to consider the bail application of the petitioners concerned in Cr.No.35 of 2022 dt 11.04.22 on the file of the second respondent police and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioners.

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 District and sessions court for SC/ST Act cases, Theni District , to consider



the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 35 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 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 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 (P&A)

// True Copy //

25/04/2022

Sub Assistant Registrar (CS)

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To

1. The Special District and sessions Judge,
Special court for SC/ST Act cases,
Theni District
2. The Deputy Superintendent of Police,
Aundipatti, Theni District
3. The Inspector of Police
Mayiladumparai Police Station
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No.7541 of 2022
22.04.2022