



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.7599 of 2022

WEB COPY

1.Nagendran

2.Manavalan

... Petitioners/Accused Nos.2 & 3

Vs

1.The State represented by
The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.

2.The Inspector of Police,
Jayamangalam Police Station,
Theni District.
(Crime No.80 of 2022)

... Respondent Nos.1 & 2/
Complainants

3. Alagesan

... Respondent No.3/
Defacto Complainant

4.Satheeskumar

5.Soundarrajan

... Respondent Nos.4 & 5/
Victims

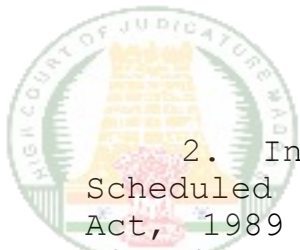
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned District and Sessions Judge Special court for Scheduled Caste and Scheduled Tribe(Prevention of Atrocities) Act Cases, Theni to consider the bail application of the petitioner's on the same day of surrender in Crime.No.80 of 2022 on the file of the second respondent police station.

For Petitioners : Mr.R.Karunanidhi

For Respondents : Mr.R.M.Anbunithi
No.1 and 2 Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed for a direction to direct the learned District and Sessions Judge Special court for Scheduled Caste and Scheduled Tribe(Prevention of Atrocities) Act Cases, Theni to consider the bail application of the petitioner's on the same day of surrender in Crime.No.80 of 2022 on the file of the second respondent 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 District and Sessions Judge Special court for Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act Cases, Theni, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime.No.80 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 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(T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The District and Sessions Judge Special court
for Scheduled Caste and Scheduled Tribe(Prevention of
Atrocities) Act Cases,
Theni.
- 2.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.
- 3.The Inspector of Police,
Jayamangalam Police Station,
Theni District.



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

+1 CC to M/s.R. KARUNANIDHI, Advocate (SR-21061[F] dated 26/04/2022
)

Order made in
CRL.O.P (MD) No.7599 of 2022
25.04.2022

am (CO)
TR (27.04.2022) 3P 6C