



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.7885 of 2022

1.Azhagar
2.Sangili

... Petitioners/Accused Nos.5 & 4
Vs

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam,
Theni District.

2.The State represented by
The Inspector of Police,
Jeyamangalam Police Station,
Periyakulam Taluk,
Theni District.

(Crime No.80 of 2022) ... Respondent Nos.1 & 2/Complainants

3.Alagesan @ Alex ... Respondent No.3/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Special Court for SC/ST (Prevention of Atrocities) Act, Theni, to consider the surrender and bail application filed by the petitioners in Crime No.80 of 2022 pending on the file of the second respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioners : Mr.P.Muruganantham
For Respondent : Mr.R.M.Anbunithi
Nos.1 and 2 Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed for a direction to direct the Special Court for SC/ST (Prevention of Atrocities Act) Theni, to consider the surrender and bail application filed by the petitioners in Crime No.80 of 2022 pending on the file of the second respondent police and to consider the bail application filed by the petitioners on the same day.

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 Special Court for SC/ST (Prevention of Atrocities Act) Theni, to consider the petitioners 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 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 //

28/04/2022

Sub Assistant Registrar(CS-II)

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To

- 1.The District and Sessions Judge,
The Special Court for SC/ST (Prevention of Atrocities) Act Cases,
Theni.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam,
Theni District.
- 3.The Inspector of Police,
Jeyamangalam Police Station,
Periyakulam Taluk,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P. MURUGANANTHAM, Advocate (SR-21620[F]
dated 27/04/2022)

Order made in
CRL.O.P (MD) No.7885 of 2022
27.04.2022

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GC(28.04.2022) 2P 6C

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