



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.7676 of 2022

C.Thangavel

... Petitioner/Accused No.1

Vs

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

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

... Respondent Nos.1 & 2/
Complainants

3.Alagesan

... Respondent No.3/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned Additional Sessions Judge (PCR Court), Theni, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.80 of 2022, dated 17.04.2022 on the file of the respondent Police.

For Petitioners	:	M/s.P.Balasubramanian
For Respondent	:	Mr.R.M.Anbunithi
Nos.1 & 2		Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned Additional Sessions Judge (PCR Court), Theni, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.80 of 2022, dated 17.04.2022 on the file of the 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 learned Additional Sessions Judge (PCR Court), 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 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 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 (W)

// True Copy //

26/04/2022

Sub Assistant Registrar (CS-IV)

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To

- 1.The Additional Sessions Judge (PCR Court),
Theni.
- 2.The Deputy Superintendent of Police,
Theni,
Theni District.
- 3.The Inspector of Police,
Jayamangalam Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.7676 of 2022
26.04.2022

AC (CO)

GC (26.04.2022) 2P 5C