



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.7815 of 2022

M.Subash

... Petitioner/
Accused No. 3

Vs

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

2.The Sub-Inspector of Police,
Suchindram police Station,
Kanniyakumari District.
(Crime No.142 of 2022)

... Respondent Nos.1 & 2/
Complainants

3.M.Sujith

... Respondent No.3/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli to consider the petitioner's bail application on the same day which would be filed by the petitioner in connection with the Crime No.142 of 2022 on the file of the second respondent police.

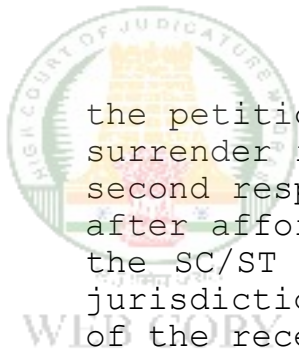
For Petitioner : Mr.M.Krishna Sreethar

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 learned II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli to consider the petitioner's bail application on the same day which would be filed by the petitioner in connection with the Crime No.142 of 2022 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 learned II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli to consider



the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.142 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)

Mga

To

1.The II Additional District and Sessions Judge (PCR Act Cases),
Tirunelveli.

2.The Deputy Superintendent of Police,
Kanyakumari,
Kanyakumari District.

3.The Sub-Inspector of Police,
Suchindram police Station,
Kanniyakumari District.

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

+1 CC to M/s.M. KRISHNA SREETHAR, Advocate (SR-21816[F] dated
27/04/2022)

Order made in
CRL.O.P (MD) No.7815 of 2022
27.04.2022

ark(CO)

TR(28.04.2022) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>