



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.8059 of 2022

1.S.Ammaiyappan
2.C.Solarasan
3.P.Karthikeyan
4.C.Kaliappan
5.A.Petchiyappan
6.V.Ganesan
7.C.Rajaram
8.T.Marimuthu
9.K.Ayyar

... Petitioners/Accused Nos.1 to 9

Vs

1.The State represented by
The Deputy Superintendent of Police,
Puliyangudi Division,
Tenkasi District.

... 1st Respondent/
Investigation Officer

2.The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
(Crime No.139 of 2022)

... 2nd Respondent/
Complainant

3.Mathivanan

... 3rd Respondent/
Defacto-Complainant

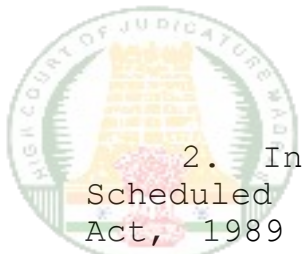
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned II Additional District and Sessions Judge, (Special Court for PCR Cases), Tirunelveli, to consider their bail application on the same day of their surrender in respect of Crime No.139 of 2022 on the file of the second respondent.

For Petitioners : Mr.M.P.Senthil

For Respondent : Mr.R.M.Anbunithi
Nos.1 and 2 Additional Public Prosecutor
(Criminal Side)

O R D E R

This Criminal Original Petition has been filed to direct the learned II Additional District and Sessions Judge, (Special Court for PCR Cases), Tirunelveli, to consider their bail application on the same day of their surrender in respect of Crime No.139 of 2022 on the file of the second respondent.



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, (Special Court for PCR Cases), Tirunelveli, to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No. 139 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 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(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The II Additional District and Sessions Judge,
(Special Court for PCR Cases),
Tirunelveli.

2.The Deputy Superintendent of Police,
Puliyangudi Division,
Tenkasi District.

3.The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.



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

+1 CC to M/s.M.P. SENTHIL, Advocate (SR-21981[F] dated 28/04/2022)

Order made in
CRL.O.P (MD) No.8059 of 2022
28.04.2022

CK (CO)
TR (29.04.2022) 3P 6C