



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.8052 of 2022

K.Karthick

... Petitioner/Accused No.5

Vs

1.The Deputy Superintendent of Police,
Thirumanglam Circle,
Madurai.

... 1st Respondent/
Investigation Officer

2.The State represented by
The Inspector of Police,
Sindupatty Police Station,
Madurai District.
(Crime No.238 of 2016)

... 2nd Respondent/Complainant

3.Ayyammal

... 3rd Respondent/
Defacto-Complainant

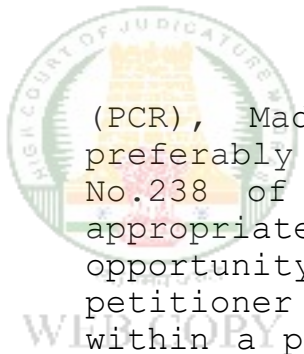
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned III Additional District and Sessions Judge, Special Court for SC/ST (POA) Act Cases (PCR), Madurai, to consider the bail petition of the petitioner on the same day of surrender in Crime No.238 of 2016 on the file of the second respondent Police Station.

For Petitioner : Mr.S.Vasanth Yugesh
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 III Additional District and Sessions Judge, Special Court for SC/ST (POA) Act Cases (PCR), Madurai, to consider the bail petition of the petitioner on the same day of surrender in Crime No.238 of 2016 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 III Additional District and Sessions Judge, Special Court for SC/ST (POA) Act Cases



(PCR), Madurai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.238 of 2016 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 (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The III Additional District and Sessions Judge,
Special Court for SC/ST (POA) Act Cases (PCR),
Madurai.

2.The Deputy Superintendent of Police,
Thirumanglam Circle,
Madurai.

3.The Inspector of Police,
Sindupatty Police Station,
Madurai District.

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

+1 CC to M/s.S. VASANTHA YUGESH, Advocate (SR-21949[F]
dated 28/04/2022)

Order made in
CRL.O.P (MD) No.8052 of 2022
28.04.2022

KS (CO)

GC(29.04.2022) 2P 6C

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