



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.8262 of 2022

WEB COPY

- 1.Pandi
- 2.Tamilarasan
- 3.Ilayaraja
- 4.Raja

... Petitioners/Accused Nos.1 to 4

Vs

- 1.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

- 2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
(Crime No.602 of 2020)

... Respondents/Complainants

- 3.Jeevanantham

... Respondent No.3/Defacto-Complainant

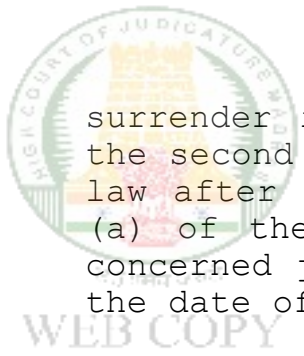
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned District Judge, Sivagangai (Special Judge for PCR Cases), Sivagangai District, to accept the surrender of the petitioners and consider the bail application to be filed by them on merits and on the day of surrender in Crime No.602 of 2020 on the file of the second respondent Police.

For Petitioners	:	Mr.S.Pugalendhi
For Respondent	:	Mr.R.M.Anbunithi
Nos.1 and 2		Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the learned District Judge, Sivagangai (Special Judge for PCR Cases), Sivagangai District, to accept the surrender of the petitioners and consider the bail application to be filed by them on merits and on the day of surrender in Crime No.602 of 2020 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 District Judge, Sivagangai (Special Judge for PCR Cases), Sivagangai District, to consider the petitioners' bail application, preferably on the same day of his



surrender in connection with Crime No. 602 of 2020 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 (CS-III)

// True Copy //

29/04/2022

Sub Assistant Registrar(CS)

To

- 1.The District Judge,
Sivagangai (Special Judge for PCR Cases),
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
- 3.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL.O.P (MD) No.8262 of 2022
29.04.2022

RS (29.04.2022) 2P-5C