



**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.8292 of 2022**

Mohammed Yusuf

... Petitioner/Accused No.2

Vs

1.The Assistant Commissioner of Police,  
(Law and Order),  
Palayamkottai,  
Tirunelveli.

2.The Inspector of Police,  
Palayamkottai Police Station,  
Tirunelveli City.  
(Crime No.256 of 2022)

... Respondents/Complainants

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli, to consider the petitioner's bail application to be filed on merits on the same day and to enlarge on bail in the event of his surrender in the Crime No.256 of 2022, dated 13.04.2022 on the file of the respondent Police.

For Petitioner : Mr.R.Ramasamy

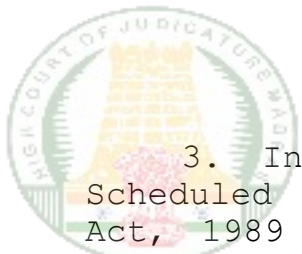
For Respondents : Mr.R.M.Anbunithi  
Additional Public Prosecutor  
(Criminal Side)

For Intervenor : R.Anand

**O R D E R**

This Criminal Original Petition has been filed to direct the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli, to consider the petitioner's bail application to be filed on merits on the same day and to enlarge on bail in the event of his surrender in the Crime No.256 of 2022, dated 13.04.2022 on the file of the respondent Police.

2. The learned counsel for the intervenor strongly objected to grant bail to the petitioner.



3. 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 Court), Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.256 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.

4. 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.

5. With the above direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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

2.The Assistant Commissioner of Police,  
(Law and Order),  
Palayamkottai,  
Tirunelveli.

3.The Inspector of Police,  
Palayamkottai Police Station,  
Tirunelveli City.



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

WEB COPY

+1 CC to M/s.R. RAMASAMY, Advocate ( SR-22597[F] dated 29/04/2022 )

+1 CC to M/s.P. GUNASEKARAN, Advocate ( SR-22642[F] dated 29/04/2022 )

Order made in  
CRL.O.P (MD) No.8292 of 2022  
29.04.2022

—

svs (CO)  
TR(29.04.2022) 3P 7C