



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.05.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

Crl.O.P. (MD)No.8895 of 2022

C.Selvam

... Petitioner/Accused

-Vs-

1.State represented by
The Deputy Superintendent of Police,
Karur Sub Division,
Karur District.

2.The Inspector of Police,
Velliyanai Police Station,
Karur District.

(In Crime No.131 of 2022)

...Respondents 1&2/
Complainants

3.Vangalayee

...3rd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned Principal District and Sessions Judge, Karur (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act to consider the bail application of the petitioner on the same day of his surrender before that court in connection with Crime No.131 of 2022 on the file of the second respondent.

For Petitioner : Mr.V.Nagarajan

For R1 & R2 : Mr.M.Muthumanikkam

Government Advocate (Crl. Side)

ORDER

This petition is filed for a direction to the learned Principal District and Sessions Judge, Karur (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act), to consider the bail petition of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in Crime No.131 of 2022 on the file of the 2nd 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 Principal District and Sessions Judge, Karur (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act), to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.131 of 2022 on the file of the 2nd respondent and pass appropriate orders in accordance with law, after affording due opportunity to the victim/victims under Section 15(a) of the SC/ST Act. The petitioner shall surrender before the concerned jurisdictional Court within a period of fifteen (15) 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/-

Vacation Officer/
Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Principal District and Sessions Judge,
Karur (Special Court for Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act).
- 2.The Deputy Superintendent of Police,
The Deputy Superintendent of Police,
Karur Sub Division,Karur District.
- 3.The Inspector of Police,
Velliyanai Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V. NAGARAJAN, Advocate (SR-23561[F] dated 09/05/2022)

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