



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.8737 of 2022

1. Senthurpandi

2. Muniyammal

3. Mugesh @ Mugesh Kumar ...Petitioners/Accused Nos 1, 2 & 3

Vs.

1. The Deputy Superintendent of Police

Mudukulathur,

Ramanathapuram District ...1st Respondent/Complainant

2. The Inspector of Police

Keelavselvanoor Police Station

Ramanathapuram District...2nd Respondent/Complainant

3. Ananthammal

...3rd Respondent/Defacto Complainant

4. Arputharaj

...4th Respondent/Victim

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Special Court for Exclusive trial of cases under SC/ST(POA) Act, 1989, Ramanathapuram to consider the bail application of the petitioners in connection with the FIR in Crime No.17 of 2022 on the file of the second respondent police on the very same date of the surrender of the petitioners and consequently to enlarge the petitioners on bail on the very same day itself by disposing the petitioner's bail application.

For Petitioners : Mr.M.S.Jeya Karthik

For Respondents : Mr.A.Thiruvadikumar

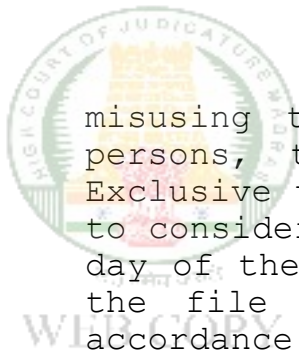
No.1 and 2

Additional Public Prosecutor

ORDER

This petition is filed for a direction to direct the Special Court for Exclusive trial of cases under SC/ST(POA) Act, 1989, Ramanathapuram to consider the bail application of the petitioners in connection with the FIR in Crime No.17 of 2022 on the file of the second respondent police on the very same date of the surrender of the petitioners and consequently to enlarge the petitioners on bail on the very same day itself by disposing the petitioner's bail application.

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 Special Court for Exclusive trial of cases under SC/ST(POA) Act, 1989, Ramanathapuram, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No. 17 of 2022 on the file of the 2nd 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 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 (Records)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

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To

- 1.The Special Court for Exclusive
trial of cases under SC/ST(POA) Act, 1989,
Ramanathapuram.
2. The Deputy Superintendent of Police
Mudukulathur, Ramanathapuram District
3. The Inspector of Police
Keelavselvanoor Police Station
Ramanathapuram District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.S. JEYAKARTHIK, Advocate (SR-23568[F]
dated 09/05/2022)

Crl.O.P. (MD) No.8737 of 2022
06.05.2022