



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.8778 of 2022

1.E.Sekar
2.S.Senthilkumar
3.P.Ramesh
4.P.Sethuraman
5.V.Muthusamy

... Petitioners/Unnamed Accused

Vs

1.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.

2.The Sub Inspector of Police,
Jayamangalam Police Station,
Theni District.

... Respondents/Complainants

3.Ramkumar

.. Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District Judge, Theni (PCR Act Cases) to consider the bail application on the same day, filed by the petitioner/accused in Crime No.73 of 2022, dated 09.04.2022 on the file of the 2nd respondent police.

For Petitioners : Mr.P.Muthu Vijaya Pandian

For Respondents : Mr.M.Muthumanikkam
No.1 and 2 Counsel for Government of Tamil Nadu
(Crl. Side)

O R D E R

This petition is filed for a direction to direct the learned Principal District Judge, Theni (PCR Act Cases), to consider the bail petition of the petitioners on the same day of surrender and dispose the same on merits and in accordance with law in crime No.73 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 Judge, Theni (PCR Act Cases), to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No. 73 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 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/-

Vacation Officer

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

RR/TM

To

1.The Principal District Judge, Theni (PCR Act Cases).

2.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.

3.The Sub Inspector of Police,
Jayamangalam Police Station,
Theni District.

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

+1 CC to M/s.P. MUTHUVIJAYAPANDIAN, Advocate (SR-23562[F] dated 09/05/2022)

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MGJ(13.05.2022) 2P 6C