



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/05/2022
PRESENT

The Hon`ble Mr.Justice M.S.RAMESH
CRL OP(MD) . No.8855 of 2022

WEB COPY

Angappan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.106/2022).

... Respondent/Complainant

For Petitioner : M/s.Geetha.C,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

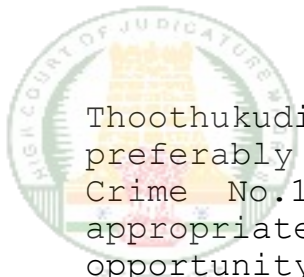
For Anticipatory Bail in Crime No.106 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b) of I.P.C., and Section 3 & 4 of the Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003, and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.106 of 2021, on the file of the respondent police, seek anticipatory bail.

2.When the matter is taken up for hearing, the learned Government Advocate (Crl.Side) would submit that the case has been altered into Section 294(b) of I.P.C., Section 3 & 4 of the Tamilnadu Prohibition of Charging Exorbitant Interest Act, 2003, Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 r/w 3(i)(r), 3(i)(s) of SC/ST Act and alteration report was filed before the Special Court for SC/ST Act Cases (PCR Court), Thoothukudi.

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 Special Court for SC/ST Act Cases (PCR Court),



Thoothukudi, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.106 of 2022 on the file of the 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.

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 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.

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

sd/-
06/05/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss/tta

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE
SRIVAIKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 cc to M/s.C.GEETHA, Advocate, SR.No.4552 (Date:10/05/2022)

ORDER
IN
CRL OP(MD) No.8855 of 2022
Date :06/05/2022

SS/SVR/SAR:IV/10.05.2022 : 2P/4C