



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.8860 of 2022

1.Karthi @ Karthikeyan

2.Ramakrishnan

.. Petitioners/Accused 2 & 3

Vs

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thanjavur Sub Division,
Thanjavur District.

2.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.

(Crime No.291 of 2022)

.. Respondents 1 and 2/Complainant

3.Reegan

.. 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct to accept the surrender of the petitioner before the Special Court for SC/S.T. (Prevention of Atrocities) Act, i.e., The 1st Additional District and Sessions Judge at Thanjavur, in connection with the Crime No.291 of 2022 on the file of the 2nd respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioners : Mr.K.M.Karunakaran

For Respondents : Mr.M.Muthumanikkam

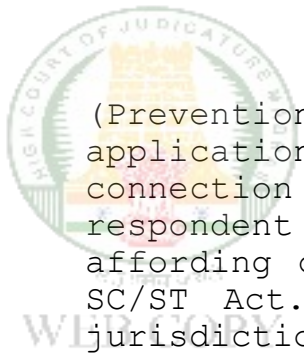
No.1 and 2

Counsel for Government of Tamil Nadu
(Crl. Side)

O R D E R

This petition is filed for a direction to direct the learned I Additional District and Sessions Judge, Thanjavur (Special Court for S.C/S.T. (Prevention of Atrocities) Act), 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.291 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 I Additional District and Sessions Judge, Thanjavur (Special Court for S.C/S.T.



(Prevention of Atrocities) Act), to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No. 291 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 I Additional District and Sessions Judge,
(Special Court for S.C/S.T.
(Prevention of Atrocities) Act).
Thanjavur

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thanjavur Sub Division,
Thanjavur District.

3.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.

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

CRL.O.P (MD) No.8860 of 2022
06.05.2022

MGJ(13.05.2022) 2P 5C

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