



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P (MD) No. 8994 of 2022

K.Karthick

... Petitioner/
Accused Rank Not Known

Vs

1.The State of Tamil Nadu,
Represented by
The Deputy Superintendent of Police,
Kanyakumari, Kanyakumari District.

2.The Sub Inspector of Police,
Suchindram Police Station,
Suchindram,
Kanyakumari District.
Crime No.142 of 2022.

... 1st & 2nd Respondent/
Complainant

3.Sujith

... 3rd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli to consider the bail application of the petitioner on the same day of the petitioner's surrender in Crime No.142 of 2022, on the file of the second respondent.

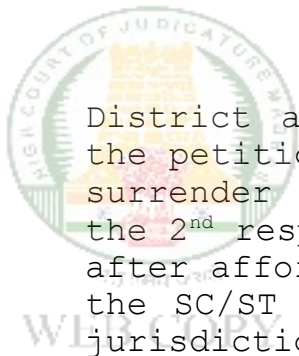
For Petitioner : Mr.C.R.Nimal

For R1 and R2 : Mr.K. Sanjai Gandhi
Government Advocate (Crl. side)

O R D E R

This petition is filed seeking for a direction to direct the learned II Additional District and Sessions Judge (PCR Court), Tirunelveli to consider the bail application of the petitioner on the same day of the petitioner's surrender in Crime No.142 of 2022, on the file of the second 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 II Additional



District and Sessions Judge (PCR Court), Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 142 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 petitioner 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.While disposing the bail petition, the Court below shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders after affording appropriate opportunity to the learned Government Advocate (Crl. side). Mere direction issued by this Court to consider the bail petition on the same day shall not amount to a direction to the court below to consider the petition favourably.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

12/05/2022

Sub Assistant Registrar(CS)

lr

To

- 1.The II Additional District and Sessions Judge (PCR Court), Tirunelveli.
- 2.The Deputy Superintendent of Police, Kanyakumari, Kanyakumari District.
- 3.The Sub Inspector of Police, Suchindram Police Station, Suchindram, Kanyakumari District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.