



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P (MD) No. 9019 of 2022

Mayandi

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Valliyoor Sub Division, Tirunelveli District.

2.The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
Crime No.80 of 2022.

... Respondent/Complainant

3.Essakki

... Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to learned II Additional Sessions (PCR Special Court), Tirunelveli to consider the bail petition of the petitioner on the day of surrender and dispose of the same on merits, in connection with Crime No.80 of 2022, on the file of the second respondent police.

For Petitioner : Mr.S.Ayyanar Prem Kumar

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 Sessions (PCR Special Court), Tirunelveli to consider the bail petition of the petitioner on the day of surrender and dispose of the same on merits, in connection with Crime No.80 of 2022, on the file of the second respondent police.

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 Sessions (PCR Special Court), Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.80 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/-

Vacation Officer

// True Copy //

12/05/2022

Sub Assistant Registrar(CS)

lr

To

1.The II Additional Sessions Judge,
(PCR Special Court),
Tirunelveli.

2.The Deputy Superintendent of Police,
Valliyoor Sub Division, Tirunelveli District.

3.The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

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

+1 CC to M/s.S.AYYANAR PREMKUMAR, Advocate (SR-23618[F] dated
11/05/2022)

CRL.O.P (MD) No. 9019 of 2022
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MGJ(12.05.2022) 2P 6C