



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P (MD) No. 9025 of 2022

WEB COPY

1.Nallaiah @ Nallakutty

2.Jeyam

3.Vaijeyanthi

... Petitioners/A1, A3 and A4

Vs

1. The Deputy Superintendent of Police,
Ponnamaravathi,
Pudukkottai District.

2. The Inspector of Police,
Panayapatti Police Station,
Pudukkottai District.

Crime No.46 of 2022.

... Respondents No.1&2/Complainants

3.Ramya

... Respondent No.3/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal District and Sessions Court (PCR Cases, Pudukkottai to accept the surrender of the petitioners and to consider their bail application on the same day in connection with Crime No.46 of 2022 on the file of the respondent Police.

For Petitioners : Mr.Baalasundharam, K.

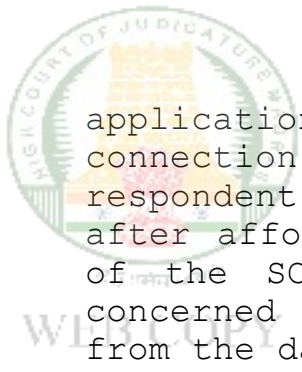
For R1 and R2 : Mr.K.Sanjai Gandhi,

Government Advocate (Crl. side)

O R D E R

This petition is filed seeking for a direction to direct the learned Principal District and Sessions Judge, Principal District and Sessions Court PCR Cases, Pudukkottai, 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.46 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 and Sessions Judge, Principal District and Sessions Court PCR Cases, Pudukkottai, to consider the petitioners' bail



application, preferably on the same day of their surrender in connection with Crime No.46 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.While disposing the bail petition, the Court below shall look into the gravity of the offence, previous antecedents of the petitioners and pass orders after affording appropriate opportunity to the learned Government Advocate (Criminal 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/AR (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

das/lr

To

1. The Principal District and Sessions Judge,
Principal District and Sessions Court PCR Cases,
Pudukkottai.
2. The Deputy Superintendent of Police,
Ponnamaravathi, Pudukkottai District.
3. The Inspector of Police,
Panayapatti Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No. 9025 of 2022
11.05.2022