



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P (MD) No. 9083 of 2022

WEB COPY

1.A.Prabhakaran @ Panai
2.L.Manikandan
3.Siva @ Karthi
4.K.Arjun @ Arjunan
5.M.Sridhar
6.A.Mithun

... Petitioners/ Accused No.4 to 7, 9 & 10
Vs

1.The Deputy Superintendent of Police,
Pabanasam Sub Division,
Pabanasam, Thanjavur District. ... 1st Respondent/
Investigative Officer

2.The Inspector of Police,
Swamimalai Police Station,
Swamimalai,
Thanjavur District.
Crime No.241 of 2022. ... 2nd Respondent/ Complainant

3.Rajkumar ... 3rd Respondent/ Defacto Complainant
4.Kannaiyan ... 4th Respondent/ Victim
5.Jayam ... 5th Respondents/ Victim

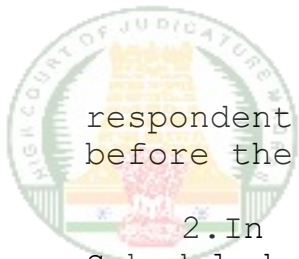
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned I Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, to consider and dispose of the bail application filed by the petitioner in Crime No.241 of 2022, dated 08.05.2022, on the file of the second respondent herein on the same day of the petitioners' surrender before the said Court.

For Petitioners : Mr.R.Ilayaraja

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 I Additional District and Sessions Judge (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, to consider and dispose of the bail application filed by the petitioners in Crime No.241 of 2022, dated 08.05.2022, on the file of the second



respondent herein, on the same day of the petitioners' surrender before the said Court.

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 (Special Judge for P.C.R. Cases), Thanjavur, Thanjavur District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.241 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 (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 (Vacation
Officer)

// True Copy //

12/05/2022

Sub Assistant Registrar(CS)

lr
Note:

To

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

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



Copy to:

1.The I Additional District and Sessions Judge
(Special Judge for P.C.R. Cases),
Thanjavur, Thanjavur District.

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

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-23636[F] dated 11/05/2022)

CRL.O.P (MD) No. 9083 of 2022
11.05.2022

_RD(12.05.2022) 3P 6C