



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P (MD) No. 9098 of 2022

- 1.Ponnuthai
- 2.Navarasu @ Arasu
- 3.Kabildev @ Appu
- 4.Jothimani

... Petitioners/ Accused No.1 to 4
Vs

1.The Deputy Superintendent of Police,
Srivilliputtur Sub-Division,
Srivilliputtur.

2.The State Rep. by
The Inspector of Police,
Malli Police Station,
Virudhunagar District.
Crime No.38 of 2022.

... Respondent/ Complainant

3.Ishwariya

... Respondent/ Victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Court for P.C.R Act Cases, Srivilliputtur to accept the surrender of the petitioners in Crime.No.38 of 2022, pending on the file of the second respondent police and to consider their bail application on the same day.

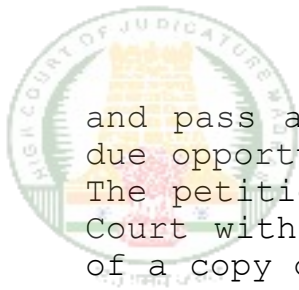
For Petitioners : Mr.P.Manimaran

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 Special Court for P.C.R Act Cases, Srivilliputtur to accept the surrender of the petitioners in Crime.No.38 of 2022, pending on the file of the second respondent police and to consider the petitioners' bail application on the same day.

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 Special Court for P.C.R Act Cases, Srivilliputtur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime.No.38 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.

WEB COPY

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

To

1. The Special Court for P.C.R Act Cases,
Srivilliputtur.

2. The Deputy Superintendent of Police,
Srivilliputtur Sub-Division,
Srivilliputtur.

3. The Inspector of Police,
Malli Police Station,
Virudhunagar District.

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

+1 CC to M/s.P. MANIMARAN, Advocate (SR-23676[F] dated 12/05/2022)

CRL.O.P (MD) No. 9098 of 2022

11.05.2022

_RD(12.05.2022) 2P 6C