



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2022

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CRL.O.P (MD) No.9365 of 2022

Periyathambi

... Petitioner/A2

Vs.

1.The Deputy Superintendent of Police,
Musiri Sub Division,
Trichy District.

2.The Inspector of Police,
Musiri Police Station,
Trichy District.

(Crime No.86 of 2022) ... Respondents /Complainants

3.Palanisamy ... 3rd Respondent/Defacto Complainant

4.Deepa ... 4th Respondent/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 PCR Cases, Trichy District, to consider and dispose of the bail application filed by the petitioner in Crime No.86 of 2022, dated 21.03.2022 on the file of the second respondent herein on the same day of his surrender before the said Court.

For Petitioners : Mr.K.Prakash,

For Respondents : Mr.M.Vaikkam Karunanithi
No.1 and 2 Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition is filed for a direction to direct the learned I Additional District and Sessions Judge (Special Judge for PCR Cases, Trichy District, to accept the surrender of the petitioner and consider his bail application on the same day on merits relating to the Crime No.86 of 2022 on the file of the second respondent police.

2. In view of the specific bar under Section 18 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the petition is dismissed.



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 PCR Cases, Trichy District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 86 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. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The I Additional District and Sessions Judge,
(Special Judge for PCR Cases, Trichy District.

2.The Deputy Superintendent of Police,
Musiri Sub Division, Trichy District.

3.The Inspector of Police,
Musiri Police Station,Trichy District.

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

+1 CC to M/s.K. PRAKASH, Advocate (SR-23857[F] dated 20/05/2022)

Order made in
CRL.O.P (MD) No.9365 of 2022
18.05.2022

sr(CO)

TR(25.05.2022) 2P 6C