



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.9424 of 2022

1.Pitchai Udayar
2.Senthamil Selvan
3.Anbuselvan ... Petitioner/Accused No.1 to 3

Vs

1.The Deputy Superintendent of Police,
Devakottai,
Sivagangai District. ... Respondent/Investigation Officer

2.The State through
The Inspector of Police,
Thiruvegampet Police Station,
Sivagangai District.
In Crime No.10 of 2019) ... Respondent/Complainant

3.Ganesan ... Respondent /Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Additional District Court (PCR) Court), Sivagangai District, to consider the bail application of these petitioners/accused No.1 to 3 in Crime No.10 of 2019 pending on the file of the second respondent on the same day of their surrender in the nature and circumstances of the case.

For Petitioners : Mr.R.Rajamohan

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

O R D E R

This petition is filed for a direction to direct the learned Additional District Court (PCR) Judge, Sivagangai District, to accept the surrender of the petitioners and consider their bail application on the same day on merits relating to the Crime No.10 of 2019 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, 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 Additional District Judge (PCR) Court, Sivagangai District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.10 of 2019 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. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

das

To

- 1.The Additional District Judge (PCR) Court,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Devakottai, Sivagangai District.
- 3.The Inspector of Police,
Thiruvegampet Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R. RAJAMOHAN, Advocate (SR-23953[F] dated 20/05/2022)

Order made in
CRL.O.P (MD) No.9424 of 2022
18.05.2022

SR(CO)

TR(25.05.2022) 2P 6C