



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.9404 of 2022

1.Sakthivel

2.Arun @ Arunkumar

3.Aravinth

4.Arunpandiyar alias Arun ... Petitioner/Accused No.1,2, 4 & 7

Vs

1.The Deputy Superintendent of Police,
Valliyoor, Tirunelveli District.

2.The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(Crime No.115 of 2022) ... Respondents /Complainants

3.Essakimuthu ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Tirunelveli, to consider the petitioners' bail application on the same date of their surrender in Crime No.115 of 2022 pending on the file of the second respondent.

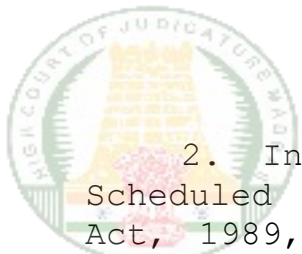
For Petitioners : Mr.M.Balakrishnan

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

ORDER

This Criminal Original Petition is filed for a direction to direct the II Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Tirunelveli, to accept the surrender of the petitioners and consider their bail application on the same day on merits relating to the Crime No.115 of 2022 on the file of the second respondent.

<https://hccer.courts.mys.in/cases/>



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 II Additional District and Sessions Judge (Special Court for SC/ST (POA) Act Cases), Tirunelveli, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 115 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. 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 II Additional District and Sessions Judge,
(Special Court for SC/ST (POA) Act Cases), Tirunelveli.
- 2.The Deputy Superintendent of Police,
Valliyoor, Tirunelveli District.
- 3.The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.ANGUSAMY, Advocate (SR-23767[F] dated 19/05/2022)

Order made in
CRL.O.P (MD) No.9404 of 2022
18.05.2022

sr(CO)

TR(25.05.2022) 2P 6C