



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD)Nos.9934 and 9935 of 2022

CRL.O.P (MD)No.9934 of 2022

1. Kanagaraj
 2. Ragul @ Ragulraj
 3. Kokul @ Gokulraj
- ... Petitioners/Accused Nos.1, 4 & 5

CRL.O.P (MD)No. 9935 of 2022

1. Nagarajan @ Natarajan
 2. Ajith Kumar
 3. Hariharan
 4. Bharathi
 5. Dinkaran
 6. Vijay @ Viji
 7. Sekar
 8. Gopalakrishnan @ Gopal
 9. Deepan
 - 10.Pushparaj
- ... Petitioners/
Accused Nos.2, 3, 6 to 10, 12 & 13

Vs

1.The Deputy Superintendent Of Police,
Pudukkottai District.

2.The Inspector of Police,
Annavasal Police Station, Ammapet,
Thanjavur District.
(Crime No.126 of 2022.)

3.Chellakannu ...Respondents/Complainants in both cases

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to direct the learned Principal Sessions Judge, Pudukkottai, (Special Court for SC/ST Act Cases) to consider the bail application of the Petitioners/Accused No.1, 4 and 5 and 2, 3, 6 to 10, 12 & 13 respectively in Cr.No.126 of 2022 on the same date of surrender and dispose the same.

For Petitioners : Mr. Ganapathi Subramanian P

For Respondents : Mr.A.Albert James (R1&R2)

Government Advocate (Crl.Side)



COMMON ORDER

These Criminal Original Petitions have been filed for a direction, to direct the learned Principal Sessions Judge, Pudukkottai, (Special Court for SC/ST Act Cases) to consider the bail application on the same day, filed by the petitioners/accused on Crime No. 126 of 2022 on the file of the second respondent.

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 Principal Sessions Judge, Pudukkottai, (Special Court for SC/ST Act Cases), to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 126 of 2022 on the file of the second 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. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioners and pass orders. Mere direction issued by this Court to consider the bail petition on the same day, does not amount to consider it favourably.

4. With the above direction, these Criminal Original Petitions are allowed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

13/06/2022

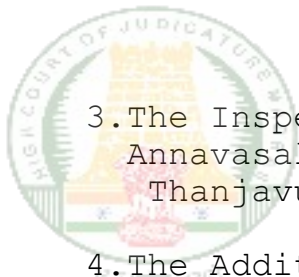
Sub Assistant Registrar(CS-I)

PNM

To

1.The Principal Sessions Judge,
(Special Court for SC/ST Act Cases),
Pudukkottai,

2.The Deputy Superintendent Of Police,
Pudukkottai District..



3.The Inspector of Police,
Annavasal Police Station, Ammapet,
Thanjavur District.

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

COMMON ORDER IN
CRL.O.P (MD)Nos.9934 and 9935 of 2022
10.06.2022

MA (CO)

GC (13.06.2022) 3P 5C