



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.9915 of 2022

1. Ganeshan
2. Suresh
3. Rani,
4. Ramya

... Petitioners/Accused Nos 1 to 4

Vs

1.The Deputy Superintendent of Police,
Social Justice and Human Rights Wing,
Pudukkottai,
Pudukkottai District.

2.The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.

(Crime No.95 of 2022)...1st & 2nd Respondents/Complainants

3. Priya ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, to accept the surrender of the petitioner and consider the bail application on merits on the same day in connection with the Crime No.95 of 2022 on the file of the second respondent.

For Petitioners :Mr.NA.Palaniyandi
Advocate.

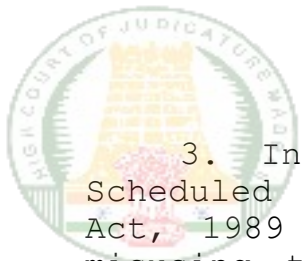
For R1 and R2 :Mr.A.Albert James,
Government Advocate (Crl.Side)

For R3 : M/s.S.Ragaventhre

O R D E R

This Criminal Original Petition has been filed for a direction to direct the learned Special Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, to accept the surrender of the petitioners and consider the bail application on merits on the same day in connection with the Crime No.95 of 2022 on the file of the second respondent.

2. Mr.A.Albert James, learned Government Advocate (Criminal Side) takes notice for the respondents 1 and 2 and M/s.S.Ragaventhre, learned counsel takes notice for the respondent No.3.



3. 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 Sessions Judge for SC/ST offences, Pudukkottai, Pudukkottai District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.95 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.

4. 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.

5. With the above direction, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

14/06/2022

Sub Assistant Registrar(CS)

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To

- 1.The Judge,
The Special Sessions Judge for SC/ST offences,
Pudukkottai, Pudukkottai District
2. The Deputy Superintendent of Police,
Social Justice and Human Rights Wing,
Pudukkottai,
Pudukkottai District.
3. The Inspector of Police,
Vellanur Police Station,
Pudukkottai District.



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

+1 CC to M/s.S.RAGHAVENDRI, Advocate (SR-25476[F]
dated 13/06/2022)

ORDER IN
CRL.O.P (MD) No.9915 of 2022
13.06.2022

km (CO)
GC (14.06.2022) 3P 6C