



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD)Nos.9917 and 9924 of 2022

CRL.O.P (MD)No.9917 of 2022

E.Murali @ Muthupandi

... Petitioner

CRL.O.P (MD)No.9924 of 2022

Shanmugasundaram @ Sundar

... Petitioner

Vs

1.The Deputy Superintendent Of Police,
Valliyoor Division,
Tirunelveli District.

2.The Insepctor of Police,
Thisayanvilai Police Station,
Tirunelveli District
(Crime No. 118 of 2022).

3. M.Rajkumar

... Respondents in both cases

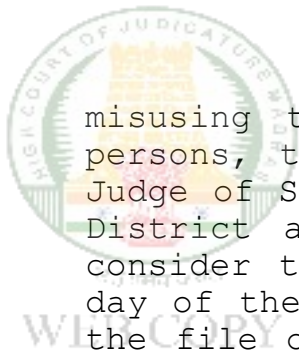
COMMON PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct learned Special Judge of SC/ST (Prevention of Atrocities) Act cum Second Additional District and Sessions Judge (PCR Unit), Tirunelveli District, to consider the bail application of the petitioner on the same day of his surrender.

For Petitioners	: Mr.M.Perumal (In Crl.OP(MD)No.9917 of 2022) Mr.R.L.Dhilipan Pandian (In Crl.OP(MD)No.9924 of 2022)
For Respondents	: Mr.A.Albert James (R1&R2) Government Advocate (Crl.Side) Mr.R.Karunanithi (R3) (In Both Petitions)

COMMON ORDER

These Criminal Original Petitions have been filed for a direction, to direct the learned Judge, Special Judge of SC/ST (Prevention of Atrocities) Act cum Second Additional District and Sessions Judge (PCR Unit), Tirunelveli District, to consider the petitioners bail application on the same day of their surrender in Crime No. 118 of 2022 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 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 Judge, Special Judge of SC/ST (Prevention of Atrocities) Act cum Second Additional District and Sessions Judge (PCR Unit), Tirunelveli District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 118 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)

To

- 1.The Judge,
Special Judge of SC/ST (Prevention of Atrocities) Act
cum Second Additional District and Sessions Judge (PCR Unit),
Tirunelveli District
- 2.The Deputy Superintendent Of Police,
Valliyoar Division, Tirunelveli District.
- 3.The Insepctor of Police,
Thisayanvilai Police Station,
Tirunelveli District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL.O.P (MD)Nos.9917 and 9924 of 2022
10.06.2022

RS(13.06.2022) 2P-5C

<https://hcservices.ecourts.gov.in/hcservices/>