



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.9922 of 2022

WEB COPY

1. Annadurai
2. Muthukannu
3. Kalaiyappan
4. Tamilarasi ... Petitioners/Accused 1 & 3 to 5

Vs

1. The Deputy Superintendent Of Police,
Sivagangai, Sivagangai District.
2. The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
Crime.No. 140/2022. ... 1st and 2nd Respondents / complainant
3. Pandikannan ... 3rd Respondent / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District Judge (Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act Sivagangai to accept the surrender of the petitioners and consider their bail application on the same day in connection with Crime No. 140 of 2022.

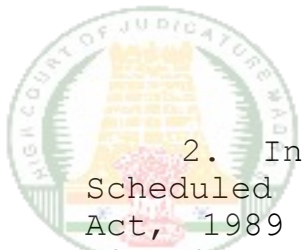
For Petitioners : Mr.Shaji Chellan L
Advocate.

For Respondents : Mr.A.Albert James (R1&R2)
Government Advocate (Crl.Side)

Mr.M.Prabhu (R3)

O R D E R

This Criminal Original Petition has been filed for a direction to direct the learned III Additional District Judge (Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act Sivagangai, to consider the petitioners bail application on the same day of their surrender in Crime No. 140 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 III Additional District Judge(Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act Sivagangai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 140 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, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

To

1.The III Additional District Judge(Special Court for Exclusive Trial of Cases under SC/ST (Prevention of Atrocities) Act, Sivagangai

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

3. The Inspector of Police, Kalaiayarkovil Police Station, Sivagangai District.



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

+1 CC to M/s.L.SHAJI CHELLAN, Advocate (SR-25062[F] dated
10/06/2022)

ORDER IN
CRL.O.P (MD) No.9922 of 2022
10.06.2022

ck (CO)
TR(13.06.2022) 3P 6C