



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.9927 of 2022

WEB COPY

1. Samadharman
2. Porselvi
3. Tamilvanan
4. Arunkumar
5. Ranjith

... 1 to 5 Petitioners/
Accused Nos.2,5,6,7,8

Vs

1. The Deputy Superintendent Of Police,
Vedasendur Taluk, Vendasandur,
Dindigul District.

... 1st Respondents/
Investigation Officer

2. The Sub Inspector of Police,
Guziliamparai Police Station,
Dindigul District.
(Crime No.91 of 2022)

... 2nd Respondents/Complainant

3. Maruthamuthu

... 3rd Respondent/Defacto
Complainant/Victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for exclusively trail of cases under SC/ST(POA) Act, Dindigul District, Dindigul to dispose the bail application filed by the Petitioners on merits on the same day of their surrender.

For Petitioners : Mr. Sarvagan Prabhu S

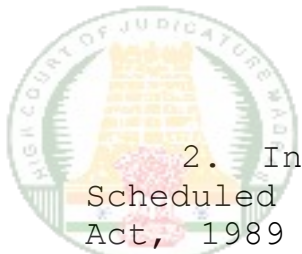
For Respondents : Mr.A.Albert James (R1&R2)

Government Advocate (Crl.Side)

Mr.M.R.Sreenivasan (R3)

O R D E R

This Criminal Original Petition has been filed for a direction to direct the learned Sessions Judge, Special Court for exclusively trail of cases under SC/ST(POA) Act, Dindigul District, Dindigul, to consider the petitioners bail application on the same day of their surrender in Crime No. 91 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 Sessions Judge, Special Court for exclusively trail of cases under SC/ST(POA) Act, Dindigul District, Dindigul, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 91 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 (CRL.SIDE)

// True Copy //

13/06/2022

Sub Assistant Registrar(CS)

PNM

To

1. The Sessions Judge,
Special Court for exclusively trail of cases
under SC/ST(POA) Act,
Dindigul District, Dindigul
2. The Deputy Superintendent Of Police,
Vedasendur Taluk, Vendasandur,
Dindigul District.
3. The Sub Inspector of Police,
Guziliamparai Police Station,
Dindigul District.



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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-25478[F] dated
13/06/2022)

CRL.O.P (MD) No.9927 of 2022

10.06.2022

pnm

USK/13.06.2022/3P/6C