



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.9980 of 2022

M.Ajithkumar

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

2.The Sub Inspector of Police,
Jayamangalam Police Station,
Theni District.
(Crime No.73 of 2022)

3.K.Ramkumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct Special Court for Trial of SC/ST Act Cases, Theni, to accept the surrender of the petitioner and consider the petitioner's bail application on the same day in connection with Crime No.73 of 2022 pending on the file of the respondents.

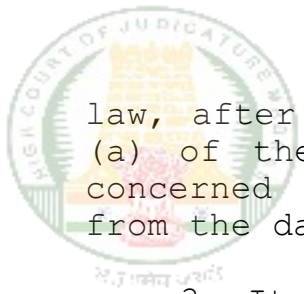
For Petitioner : Mr.SP.Vijay Nivas

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

O R D E R

This Criminal Original Petition has been filed for a direction, to direct the learned Judge, Special Court for Trial of SC/ST Act Cases, Theni, to accept the surrender of the petitioner and consider his bail application on the same day in connection with Crime No.73 of 2022 pending on the file of the 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 Court for Trial of SC/ST Act Cases, Theni, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.73 of 2022 on the file of the respondent police 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 petitioner 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 petitioner 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 (CS III)

// True Copy //

10/06/2022

Sub Assistant Registrar(CS)

cp

To

1.The Judge,
Special Court for Trial of SC/ST Act Cases,
Theni.

2.The Deputy Superintendent of Police,
Periyakulam,
Theni District.

3.The Sub Inspector of Police,
Jayamangalam Police Station,
Theni District.

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

+1 CC to M/s.SP.VIJAY NIVAS, Advocate(SR-25060[F] dated
10/06/2022)

CRL.O.P (MD) No.9980 of 2022
09.06.2022

MGJ(10.06.2022) 2P 6C