



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10029 of 2022

WEB COPY

Renuka

... Petitioner/Accused No.2

Vs

1.The State Represented by
Deputy Superintendent of Police,
Theni, Theni District.

2. The Inspector of Police,
Theni Police Station,
Cr.No.156/2022,
Theni District.

...Respondents 1 & 2/
Complainant

3. Muthu

... 3rd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct Special Court for SC/ST (POA) Act Cases, Theni District to consider the petitioner's bail application on the date of Surrender on the Same day in Crime No.156 of 2022 on the file second respondent Police for offence 294(b),323,427,506(i) of IPC and Section 4 of TNPHW Act r/w 3(1)(r)(s)3(2)(va) of SC/ST(POA) Act.

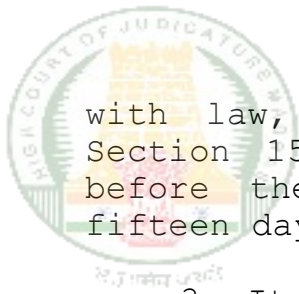
For Petitioner : Mr.Senthil Kumar. J

For Respondent : 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 SC/ST (POA) Act Cases, Theni District to consider the petitioner's bail application in Crime No.156 of 2022, on the file 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 Court for SC/ST (POA) Act Cases, Theni District, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 156 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 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 (CO)

// True Copy //

09/06/2022

Sub Assistant Registrar(CS)

PNM

To

1.The Judge, Special Court for SC/ST (POA) Act Cases,
Theni District

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

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

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

CRL.O.P (MD) No.10029 of 2022
08.06.2022

MGJ(09.06.2022) 2P 5C