



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.9994 of 2022

WEB COPY

1. Arumugam

2. Selvi

... Petitioners/Accused 1 & 3

Vs

1.The Deputy Superintendent of Police,

Karaikudi,

Sivagangai District.

...1st Respondent/Investigating Officer

2.The Inspector of Police,

Karaikudi North Police Station,

Sivagangai District

(Crime No. 134 of 2022)2nd Respondent/Complainant

3.Periyasamy

...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Judge (Special Court for PCR Cases), Sivagangai to consider the petitioners bail application on the same day of their surrender in Crime No. 134 of 2022 on the file of the R2.

For Petitioner : Mr.T.Lenin Kumar,
Advocate.

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 Principal District and Sessions Judge (Special Court for PCR Cases), Sivagangai, to consider the petitioners bail application on the same day of their surrender in Crime No. 134 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 Principal District and Sessions Judge (Special Court for PCR Cases), Sivagangai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 134 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.

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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 (CO)

// True Copy //

09/06/2022

Sub Assistant Registrar (CS-II)

PNM

To

1. The Principal District and Sessions Judge,
(Special Court for PCR Cases), Sivagangai

2. The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.

3. The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-24793[F]
dated 09/06/2022)

ORDER IN

CRL.O.P (MD) No.9994 of 2022

08.06.2022

CK (CO)

GC (09.06.2022) 2P 6C