



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10313 of 2022

1. Mukesh @ Mukesh Kanna

2. Yogesh @ Yogeswaran

... Petitioners/Rank not known

Vs

1. The Deputy Superintendent of Police (Rural),
Dindigul, Dindigul District.

2. The Inspector of Police,
Thadikombu Police Station,
Dindigul District.

... Respondent/Complainant

3. Vellaisamy

... Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court, Dindigul (PCR Act Cases) to consider the bail application on their surrender on the same day, if any petition filed by the petitioners in Crime No.150 of 2022 on the file of the 2nd respondent.

For Petitioners : Mr.N.Kamesh

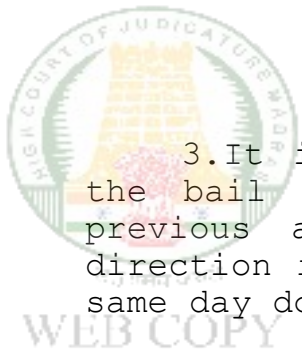
For Respondents : Mr.A.Albert James

1 & 2 Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction to direct the Special Court, Dindigul (PCR Act Cases) to consider the petitioners bail application on the same day of their surrender in Crime No.150 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 Judge, Special Court, Dindigul (PCR Act Cases), to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.150 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 favorably.

4.With the above direction, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Judge,
Special Court, Dindigul (PCR Act Cases)
2. The Deputy Superintendent of Police (Rural),
Dindigul, Dindigul District.
3. The Inspector of Police,
Thadikombu Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N. KAMESH, Advocate (SR-25546[F] dated 14/06/2022)

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