



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 08.06.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE V.SIVAGNANAM**

**CRL.O.P (MD) No.10026 of 2022**

WEB COPY

1. Nallammal
2. Samikkannu

... Petitioners/Accused No.1 & 2

Vs

- 1.The Deputy Superintendent Of Police,  
Ponnamaravathi Police Station,  
Pudukkottai District.  
(Crime No. 126 of 2022).

- 2.The Inspector of Police,  
Ponnamaravathi Police Station,  
Pudukkottai District  
(Crime No. 126 of 2022)....1<sup>st</sup> & 2<sup>nd</sup> Respondent/Complainant

- 3.M.Sivasubramanian ...3<sup>rd</sup> Respondent/Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for SC and ST Act, PCR Court, Pudukkottai and accept the surrender of the petitioners and consider their bail application on the same day on merits relating to the Crime No. 126 of 2022 pending on the file of R2.

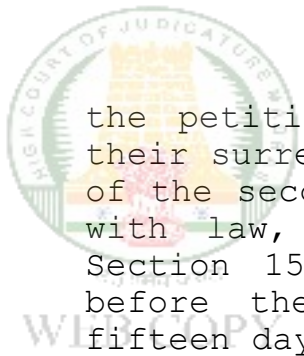
For Petitioner : Mr. Babu Rajendran  
Advocate.

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 Sessions Judge, Special Court for SC and ST Act, PCR Court, Pudukkottai and accept the surrender of the petitioners and consider their bail application on the same day on merits relating to the Crime No. 126 of 2022 pending on the file of second respondent.

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 SC and ST Act, PCR Court, Pudukkottai, to consider



the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 126 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 (CO)

// True Copy //

09/06/2022

Sub Assistant Registrar (CS-II)

PNM

To

1. The Sessions Judge,  
Special Court for SC and ST Act, PCR Court,  
Pudukkottai.
2. The Deputy Superintendent Of Police,  
Ponnamaravathi Police Station,  
Pudukkottai District.
3. The Inspector of Police,  
Ponnamaravathi Police Station,  
Pudukkottai District
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.BABU RAJENDRAN, Advocate (SR-24550[F] dated 08/06/2022)

ORDER IN

**CRL.O.P (MD) No.10026 of 2022**

**08.06.2022**

CK (CO)

GC (09.06.2022) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>