



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10080 of 2022

Mukundhan @ Parthiban

... Petitioner/Accused No.2

Vs.

1.The State Rep. by

The Deputy Superintendent of Police,
Alangudi Sub Division,
Pudukottai District.

2.The Inspector of Police,
Vadakadu Police Station,
Pudukottai District.

(Cr.No.76 of 2022)

...1st & 2nd Respondents/Complainants

3.Thanarasu

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for PCR Cases, Pudukottai District to accept the surrender of the petitioner in connection with the Crime No.76 of 2022 on the file of the second respondent police and to consider and dispose the bail application filed by the petitioner on the same day on merits.

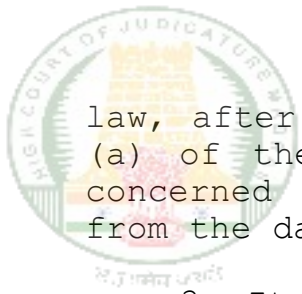
For Petitioner : Ms.A.Banumathy

For R1 - 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 PCR Cases, Pudukottai District to consider the petitioner's bail application in Crime No.76 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 PCR Cases, Pudukottai District, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.76 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 (CS III)

// True Copy //

10/06/2022

Sub Assistant Registrar (CS)

vsd

To

- 1.The Judge,
Special Court for PCR Cases,
Pudukottai District.
- 2.The Deputy Superintendent of Police,
Alangudi Sub Division,
Pudukottai District.
- 3.The Inspector of Police,
Vadakadu Police Station,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.10080 of 2022
09.06.2022

MGJ(10.06.2022) 2P 5C