



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10205 of 2022

Deventhran

... Petitioner/Accused No.2

Vs

1. The Deputy Superintendent of Police,
Aranthangi,
Pudukkottai District.

2. The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
(Crime No.274 of 2015)

... Respondents 1 & 2/Complainants

3. Thirumaran

...3rd 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 exclusive trial of SC/ST (POA) Act cases, Pudukkottai to accept the surrender of petitioner and consider his bail application on the very same day on merits in connection with Spl.S.C.No.150 of 2019 in Crime No.274 of 2015 on the file of the second respondent.

For Petitioner	: M/s.R.Prasanna
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 exclusive trial of SC/ST (POA) Act cases, Pudukkottai to accept the surrender of petitioner and consider his bail application on the very same day on merits in connection with Spl.S.C.No.150 of 2019 in Crime No.274 of 2015 on the file of the 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 exclusive trial of SC/ST (POA) Act cases, Pudukkottai, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 274 of 2015 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.

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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 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 (Crl.Side)

// True Copy //

13/06/2022

Sub Assistant Registrar(CS-I)

ebsi

To

- 1.The Sessions Judge,
Special Court for exclusive trial of SC/ST (POA) Act cases,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Aranthangi,
Pudukkottai District.
- 3.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.PRASANNA, Advocate (SR-25027[F] dated 10/06/2022)

ORDER IN

CRL.O.P (MD) No.10205 of 2022

10.06.2022

CK (CO)

GC(13.06.2022) 2P 6C