



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10065 of 2022

M. Kabilan

... Petitioner/1st Accused

Vs

1. The Deputy Superintendent Of Police,
O/o. the Deputy Superintendent of Police,
Theni, Theni District.

2. The Inspector of Police,
Allinagaram Police Station,
Theni District.

(Crime.No. 75 of 2022.) ...Respondents/Complainant

3. Marimuthu ... 3rd Respondent/Defacto Complainant

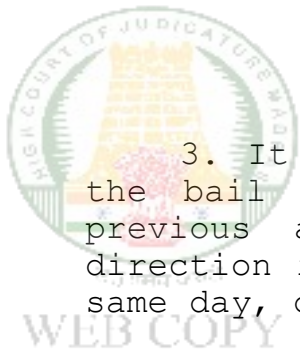
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Judge for Trial of Cases under SC/ST (POA) Act, Theni District to dispose the bail application filed by the petitioner on merits on the same day of his surrender.

For Petitioner	: Mr.Naveen Kumar. S.P.
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 Special Judge for Trial of Cases under SC/ST (POA) Act, Theni District, to dispose the bail application filed by the petitioner on merits on the same day of his surrender.

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 Special Judge for Trial of Cases under SC/ST (POA) Act, Theni District, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No. 75 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 (AD-I)

// True Copy //

09/06/2022

Sub Assistant Registrar(CS-II)

PNM

To

- 1.The Judge,
The Special Judge for Trial of Cases under SC/ST (POA) Act,
Theni District.
- 2.The Deputy Superintendent Of Police,
O/o. the Deputy Superintendent of Police,
Theni, Theni District.
- 3.The Inspector of Police,
Allinagaram Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.P.NAVEEN KUMAR, Advocate (SR-24657[F]
dated 08/06/2022)

ORDER IN

CRL.O.P (MD) No.10065 of 2022

08.06.2022

am (CO)

GC (09.06.2022) 2P 6C