



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10204 of 2022

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Sankar

... Petitioner/Accused No.2

Vs

1.The Deputy Superintendent Of Police,
Thiruvadanai,
Ramanathapuram District.

2.The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.

(Crime No.146 of 2022) ... Respondents 1 & 2/Complainants

3. Laxmiganapathy ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Court (PCR Act Cases) Ramanathapuram to consider the Bail application of the petitioner concerned in Crime No.146 of 2022 on the file of the Inspector of Police, R.S.Mangalam Police Station, Ramanathapuram District/ the Second respondent herein and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.

For Petitioner : Mr.T.Veerakumar

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 learned Special Court (PCR Act Cases) Ramanathapuram to consider the Bail application of the petitioner concerned in Crime No.146 of 2022 on the file of the Inspector of Police, R.S.Mangalam Police Station, Ramanathapuram District/ the Second respondent herein and pass orders in accordance with law on the same day on his surrender if any petition filed by the petitioner.

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 (PCR Act Cases) Ramanathapuram, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 146 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.

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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 (AS)

// True Copy //

13/06/2022

Sub Assistant Registrar(CS-I)

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To

- 1.The Judge,
Special Court (PCR Act Cases)
Ramanathapuram
- 2.The Deputy Superintendent Of Police,
Thiruvadanai,
Ramanathapuram District.
- 3.The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.VEERA KUMAR, Advocate (SR-25147[F]
dated 10/06/2022)

ORDER IN

CRL.O.P (MD) No.10204 of 2022

10.06.2022

CK (CO)

GC(13.06.2022) 2P 6C

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