



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10321 of 2022

Saran @ Saravanakumar

... Petitioner/Accused No.1

Vs

1.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Periyakulam,
Theni District.
Crime No.73 of 2022

2.The Inspector of Police,
Jayamangalam Police Station,
Jayamangalam,
Theni District.
Crime No.73 of 2022

... Respondent 1 & 2/Complainants

3.Ramkumar

... Respondent No.3/Defacto Complainant & victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Theni to consider the bail application of the petitioner on the same day of his surrender in Crime No.73 of 2022 on the file of the 1st and 2nd respondent police.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.A.Albert James

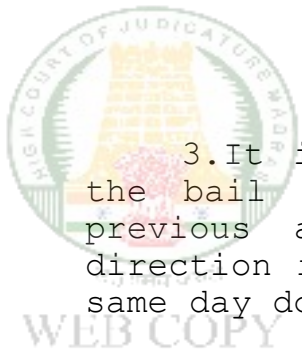
1 & 2

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction to the learned Sessions Judge, Special Court for SC/ST (POA) Act, Theni, to consider the petitioner's bail application in Crime No.73 of 2022 on the file of the 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 Sessions Judge, Special Court for SC/ST (POA) Act, Theni, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.73 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 favorably.

4.With the above direction, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Sessions Judge, Special Court for SC/ST (POA) Act,
Theni.

2.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Periyakulam,
Theni District.

3.The Inspector of Police,
Jayamangalam Police Station,
Jayamangalam,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-25471[F] dated
13/06/2022)

ORDER IN
CRL.O.P (MD) No.10321 of 2022
13.06.2022

_SS(20/06/2022) 2P 6C