



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10297 of 2022

WEB COPY

1. Deena @ Dheena Thayalan
2. Mani @ Mani Kandan
3. Paraman [Dinesh] @ Dineshwara Pandian
4. Murugan Saloon @ Bala Murugan
5. Vinoth @ Vinoth Kumar
6. Viswa @ Muthu Kumar
7. Navaneetha Krishnan

... Petitioners/Accused 4,5,7,
8,10,11 & 12

Vs

1. The State Represented by its,
The Deputy Superintendent of Police,
Samayanallur,
Madurai District. ... 1st Respondent/Investigation Officer
2. The Inspector of Police,
Alanganallur Police Station,
Madurai District.
(Crime No.153 of 2022) ... 2nd Respondent/Complainant
3. Bagath Singh ... 3rd Respondent/Defacto Complainant
4. Jeganathan
5. Rajasekar
6. Balamani ... Respondents 4 to 6/Victims

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District and Sessions Court (PCR), Madurai, to consider the bail application of the petitioners in connection with the FIR in Crime No.153 of 2022 on the file of the second respondent police, on the very same date of their surrender and to enlarge the petitioners on bail on the very same day itself by allowing the petitioners' bail application.

For Petitioners : Mr.M.S.Jeyakarthik Advocate.
For Respondents : 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 III Additional District and Sessions Court (PCR), Madurai, to consider the bail application of the petitioners in connection with the FIR in Crime No.153 of 2022 on the file of the second respondent police, on the very same date of their surrender



and to enlarge the petitioners on bail on the very same day itself by allowing the petitioners' bail application.

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 III Additional District and Sessions Court (PCR), Madurai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.153 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 petitioners 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 petitioners 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)

To

1. The III Additional District and Sessions Court (PCR),
Madurai.

2. The Deputy Superintendent of Police,
Samayanallur, Madurai District.

3. The Inspector of Police,
Alanganallur Police Station, Madurai District.

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

+1 CC to M/s.M.S.JEYAKARTHICK, Advocate (SR-25005[F] dated
10/06/2022)

CRL.O.P (MD) No.10297 of 2022
10.06.2022

RS (13.06.2022) 2P-6C

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