



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.06.2022
CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10482 of 2022

WEB COPY

1.Esakki @ Esaki
2.Selvi

... Petitioners/Accused No.1 & 2

Vs

1.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

2.The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.

... 1st & 2nd Respondents/
Complainant

3.Cinna Durai.

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the IInd Additional District Sessions Judge Cum P.C.R Court, Tirunelveli to consider the petitioner's bail application and dispose the bail application on the same day, if the petitioners surrender before the learned IInd Additional District Sessions Judge Cum P.C.R. Court, Tirunelveli in Crime No.85 of 2022 on the file of the 2nd respondent.

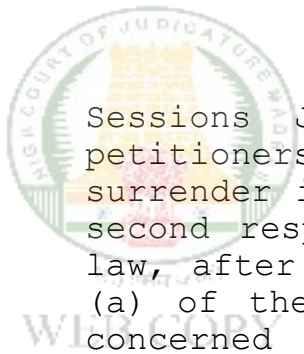
For Petitioners : Mr.R.J.Karthik
Advocate.

For Respondents : Mr.A.Albert James,
1 and 2 Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction to direct the IInd Additional District Sessions Judge Cum P.C.R Court, Tirunelveli, to consider the petitioners bail application on the same day of their surrender in Crime No.85 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 IInd Additional District



Sessions Judge Cum P.C.R Court, Tirunelveli, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.85 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 (T&A)

// True Copy //

15/06/2022

Sub Assistant Registrar(CS)

To

1.The IInd Additional District Sessions Judge Cum P.C.R Court,
Tirunelveli.

2.The Deputy Superintendent of Police,
Nanguneri,
Tirunelveli District.

3.The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-25890[F] dated 15/06/2022)

ORDER IN

CRL.O.P (MD) No.10482 of 2022

14.06.2022

SA(15.06.2022) 3P 6C