



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10615 of 2022

WEB COPY

Ramesh

... Petitioner/Accused

Vs

The Inspector of Police,
Panavadalichatram Police Station,
Tenkasi District.
(Crime No.100 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Additional District & Sessions Judge, Special Court for Trial of Cases Under SC/ST (Prevention of Atrocities) Act Tirunelveli, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrender before the II Additional District & Sessions Judge, Special Court for Trial of Cases under SC/ST (Prevention of Atrocities) Act, Tirunelveli, for the case registered in Crime No.100 of 2022 on the file of the respondent, dated 05.06.2022.

For Petitioner : Mr.Devaraj Mahesh

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 II Additional District & Sessions Judge, Special Court for Trial of Cases, Under SC/ST (Prevention of Atrocities) Act, Tirunelveli, to consider the petitioner's bail application and dispose the same on the same day, if the petitioner surrender before that Court in connection with Crime No.100 of 2022 on the file of the respondent, dated 05.06.2022.

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 II Additional District & Sessions Judge, Special Court for Trial of Cases, Under SC/ST (Prevention of Atrocities) Act, Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.100 of 2022 on the file of the 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 (Admin I)

// True Copy //

16/06/2022

Sub Assistant Registrar(CS)

ebsi

To

1. The II Additional District & Sessions Judge,
Special Court for Trial of Cases,
Under SC/ST (Prevention of Atrocities) Act,
Tirunelveli.
2. The Inspector of Police,
Panavadalichatram Police Station,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.DEVARAJ MAHESH, Advocate(SR-25707[F] dated
15/06/2022)

CRL.O.P (MD) No.10615 of 2022
15.06.2022

MGJ(16.06.2022) 2P 5C