



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10545 of 2022

WEB COPY

Shanmuganathan

... Petitioner/ Sole Accused
Vs

1. State Represented by
The Deputy Superintendent of Police,
Karur Town (SD),
Karur District.
2. The Inspector of Police,
Karur Town AWPS Police Station,
Karur District.
(Crime No.21 of 2022) ...Respondent Nos. 1 & 2/Complainants
3. Santhiya ... Respondent No.3/ De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for Exclusive Trial of SC/ST Cases cum learned District Sessions Judge, Karur to consider the bail application of the petitioner on the same day of his surrender before that court in connection with Crime No.21 of 2022 on the file of the second respondent.

For Petitioner : Mr.T.Vadivelan
For R1 & R2 : Mr.A.Albert James,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction, to direct the Special Court for Exclusive Trial of SC/ST Cases cum learned District Sessions Judge, Karur, to consider the bail application of the petitioner on the same day of his surrender before that court in connection with Crime No.21 of 2022 on the file of the second respondent.

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 Special Court for Exclusive Trial of SC/ST Cases cum learned District Sessions Judge, Karur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.21 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 favourably.

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

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

16/06/2022

Sub Assistant Registrar(CS)

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To

- 1.The Judge
The Special Court,
for Exclusive Trial of SC/ST Cases cum
The District Sessions Judge, Karur
2. The Deputy Superintendent of Police,
Karur Town (SD),
Karur District.
3. The Inspector of Police,
Karur Town AWPS Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN

CRL.O.P (MD) No.10545 of 2022

15.06.2022

NA (CO)

GC(16.06.2022) 2P 5C