



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10548 of 2022

WEB COPY

Abdulla

... Petitioner/ Sole Accused
Vs

1. The Deputy Superintendent of Police,
Manapparai,
Trichy District.

2. The Inspector of Police,
Puthunatham Police Station,
Trichy District.

(Crime No.70 of 2022) ... Respondent Nos. 1 & 2/ Complainants

3. Muthukaruppn ... Respondent No.3/ De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act / I Additional District Judge, (PCR Court) Trichy, to consider the bail application on the surrender of the Petitioner/ Sole Accused on the same day in Crime No.70 of 2022, on the file of the respondent police, on merits on the same day.

For Petitioner : Mr.A.Joel Paul Antony

For R1 & R2 : 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 Special Judge for SC/ST (Prevention of Atrocities) Act / I Additional District Judge, (PCR Court) Trichy, to consider the bail application on the surrender of the Petitioner/ Sole Accused on the same day in Crime No.70 of 2022, on the file of the respondent police, on merits on the same day.

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 Judge for SC/ST (Prevention of Atrocities) Act / I Additional District Judge, (PCR Court) Trichy, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.70 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 (Admin I)

// True Copy //

16/06/2022

Sub Assistant Registrar(CS)

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To

1. The Special Judge,
for SC/ST (Prevention of Atrocities) Act /
I Additional District Judge,
(PCR Court) Trichy
2. The Deputy Superintendent of Police,
Manapparai,
Trichy District.
3. The Inspector of Police,
Puthunatham Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A. JOEL PAUL ANTONY, Advocate (SR-25952[F] dated 15/06/2022)

CRL.O.P (MD) No.10548 of 2022
15.06.2022

MGJ(16.06.2022) 2P 6C