



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10732 of 2022

WEB COPY

1.Chandran @ Chandrasekar

2.Ramesh @ Ramesh Kumar

... Petitioners/Accused No.1 & 2

Vs

1.The Deputy Superintendent of Police,
Thiruchuli,
Virudhunagar District.

2.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

...Respondents/Complainant

3.Suresh

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the District and Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (P.O.A) Act, 1989 Srivilliputhur, Virudhunagar District, to accept the surrender of the petitioners and consider petitioners' bail application and grant bail on the date of surrender itself in Crime No.128 of 2022 on the file of the second respondent.

For Petitioners : Mr.D.Balamurugapandi

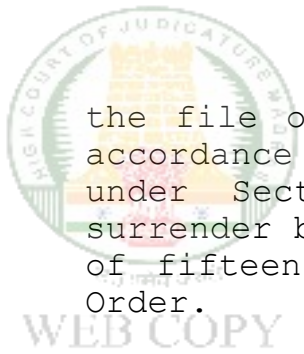
For Respondents : Mr.A.Albert James,

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction to direct the learned District and Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (P.O.A) Act, 1989 Srivilliputhur, Virudhunagar District, to consider the petitioners bail application on the same day of their surrender in Crime No.128 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 learned District and Sessions Judge, Special Court for Trial of Cases Registered under SC/ST (P.O.A) Act, 1989 Srivilliputhur, Virudhunagar District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 128 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 //

16/06/2022

Sub Assistant Registrar(CS)

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To

1.The District and Sessions Judge,
Special Court for Trial of Cases
Registered under SC/ST (P.O.A) Act, 1989
Srivilliputhur, Virudhunagar District.

2.The Deputy Superintendent of Police,
Thiruchuli, Virudhunagar District.

3.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

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

+1 CC to M/s.D. BALAMURUGAPANDI, Advocate (SR-26050[F]
dated 16/06/2022)

ORDER IN

CRL.O.P (MD) No.10732 of 2022

16.06.2022

SR(CO)GC(16.06.2022) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>