



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11018 of 2022

1. Selvam @ Selvakumar

2. Thenpandi

3. Kani

to 4

4. Ganesan

5. Enbavalli

8

... Petitioners No.1 to 3/ Accused No.2

... Petitioners No.4 & 5/Accused No.7 &

Vs

1. The Inspector of Police,
Varasanadu Police Station,
Theni District.
(in Crime No.84 of 2022)

... 1st Respondent/ Complainant

2. The Deputy Superintendent of Police,
Andipatti Circle,
Theni District.

... 2nd Respondent/ 2nd Respondent

3. Tamilan

... 3rd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Court, (PCR), Theni to consider the surrender and bail application filed by the petitioners in Crime No.84 of 2022 pending investigation on the file of the respondent police on the same day.

For Petitioners : Mr.R.Gandhi
Advocate.

For R1 and 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 Principal District and Sessions Court, (PCR), Theni, to consider the petitioners bail application on the same day of their surrender in Crime No. 84 of 2022 on the file of the 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 Principal District and Sessions Court, (PCR), Theni, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.84 of 2022 on the file of the first 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 //

23/06/2022

Sub Assistant Registrar(CS)

ebsi

To

1.The Principal District and Sessions Judge, (PCR),
Theni.

2. The Inspector of Police,
Varasanadu Police Station,
Theni District.

3. The Deputy Superintendent of Police,
Andipatti Circle,
Theni District.

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

+1 CC to M/s.R. GANDHI, Advocate (SR-27846[F] dated 23/06/2022)

CRL.O.P (MD) No.11018 of 2022

22.06.2022

MGJ(23.06.2022) 2P 6C

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