



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11007 of 2022

1. M.Chandru
2. M.Petchimuthu

... Petitioners/ 1st Accused &
Accused Rank Not Known

Vs

1.The Deputy Superintendent of Police,
Tiruchendur Sub - Division,
Tiruchendur,
Thoothukudi District.
(Crime No.153 of 2022)

2.The Inspector of Police,
Arumuganeri Police Station,
Arumuganeri,
Thoothukudi District.
(Crime No.153 of 2022)

... Respondents 1 & 2/ Complainants

3.Anbaiah

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Thoothukudi to consider the bail application of the petitioner on the same day of their surrender in Crime No.153 of 2022 on the file of the first and second respondents police.

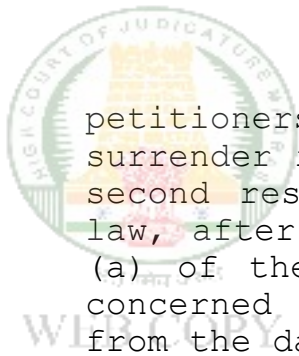
For Petitioners : Mr.N.Pragalathan
Advocate.

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 learned Sessions Judge, Special Court for SC/ST (POA) Act, Thoothukudi to consider the bail application of the petitioner on the same day of their surrender in Crime No.153 of 2022 on the file of the first and second respondents 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 Sessions Judge, Special Court for SC/ST (POA) Act, Thoothukudi, to consider the



petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.153 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 (AD-I)

// True Copy //

23/06/2022

Sub Assistant Registrar(CS)

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To

- 1.The Sessions Judge,
Special Court for SC/ST (POA) Act,
Thoothukudi.
2. The Deputy Superintendent of Police,
Tiruchendur Sub - Division,
Tiruchendur,
Thoothukudi District.
3. The Inspector of Police,
Arumuganeri Police Station,
Arumuganeri,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN

CRL.O.P (MD) No.11007 of 2022

22.06.2022

CK (CO)

GC (23.06.2022) 2P 5C

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