



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11141 of 2022

1.Rooban
2.Raju
3.Malathi

... Petitioners/Accused 1 to 3
Vs

1.The Deputy Superintendent Of Police,
Ramanathapuram,
Ramanathapuram District.

... 1st Respondent/Investigation Officer

2.The Inspector of Police,
Ramanathapuram Bazaar Police Station,
Ramanathapuram District.
(Crime No.215 of 2022)

... 2nd Respondent/Complainant

3.Vimal

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Additional District and Sessions Judge (PCR Court), Special Court for SC and ST (POA) Trial Cases, Ramanathapuram to accept the surrender of the petitioners and to consider their bail application on the very same day itself in connection with the FIR in Criem No.215 of 2022 on the file of the second respondent and consequently to enlarge the petitioners on bail on the very same date itself, when their bail petition is filed.

For Petitioners : Mr.M.S.Jeyakarthik
Advocate.

For Respondents : Mr.A.Albert James,
1 to 2 Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the learned Additional District and Sessions Judge (PCR Court), Special Court for SC and ST (POA) Trial Cases, Ramanathapuram to accept the surrender of the petitioners and to consider their bail application on the very same day itself in connection with the FIR in Criem No.215 of 2022 on the file of the second respondent and consequently to enlarge the petitioners on bail on the very same date itself, when their bail petition is filed.



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 Additional District and Sessions Judge (PCR Court), Special Court for SC and ST (POA) Trial Cases, Ramanathapuram, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 215 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 (CS I)

// True Copy //

24/06/2022

Sub Assistant Registrar(CS)

vsg

To

- 1.The Additional District and Sessions Judge (PCR Court), Special Court for SC and ST (POA) Trial Cases, Ramanathapuram.
- 2.The Deputy Superintendent Of Police, Ramanathapuram, Ramanathapuram District.
- 3.The Inspector of Police, Ramanathapuram Bazaar Police Station, Ramanathapuram District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.S. JEYAKARTHIK, Advocate (SR-27924[F] dated 24/06/2022)

CRL.O.P (MD) No.11141 of 2022

23.06.2022

MGJ(24.06.2022) 2P 6C

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