



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11383 of 2022

Thanigaiselvan,

: Petitioner/Accused No.2

Vs

1. The Deputy Superintendent Of Police,
Melur Circle, Madurai District.

2. The State represented by
The Inspector of Police,
Melavalavu Police Station,
Madurai District
(Crime No. 72 of 2021).

: Respondents 1 & 2/
Complainants

3. Vetriselvan,

: 3rd Respondent/
Defacto Complainant

4. Chinnapulian,

: 4th Respondent/Victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No. 72 of 2021, dated. 17.04.2021.

For Petitioner : M/s.Rameshkumar D,

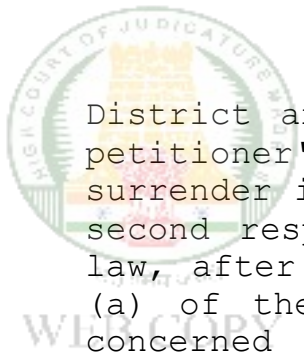
For R1 and R2 : Mr.A.Albert James,

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction to direct the learned III Additional District and Sessions Judge (PCR Court), Madurai, to consider the petitioner's bail application on the same day of his surrender in Crime No. 72 of 2021 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 III Additional



District and Sessions Judge (PCR Court), Madurai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 72 of 2021 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 (AE)

// True Copy //

28/06/2022

Sub Assistant Registrar(CS)

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To

1.The III Additional District and Sessions Judge (PCR Court), Madurai.

2. The Deputy Superintendent Of Police, Melur Circle, Madurai District.

3. The Inspector of Police, Melavalavu Police Station, Madurai District

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

+1 CC to M/s.D. RAMESH KUMAR, Advocate (SR-28443[F] dated 28/06/2022)

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