



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 24.06.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE V.SIVAGNANAM**

**CRL.O.P (MD) No.11265 of 2022**

1. Muthumari
2. Gurusamy
3. Muthupandi

... Petitioners /  
Accused Nos.3, 4 & 5

Vs

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

2. The Inspector of Police,  
Thiruchuli Police Station,  
Virudhunagar District.  
(In Crime No.128 of 2022)

... Respondents 1 & 2/  
Complainants

3. Suresh

... 3<sup>rd</sup> Respondent/  
De-facto Complainant/victim

**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 the 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.

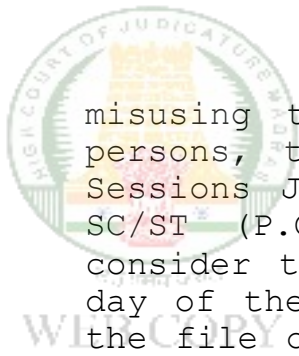
For Petitioners : Mr.D.Balamurugapandi  
Advocate.

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 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 bail application filed by the petitioners on the same day of 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, 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 (CO)

// True Copy //

27/06/2022

Sub Assistant Registrar(CS)

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To

1.The District and Sessions Judge,  
Special Court for Trial of Cases, SC/ST (P.O.A) Act,  
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-28076[F] dated  
24/06/2022 )

**CRL.O.P (MD) No.11265 of 2022**  
**24.06.2022**

MGJ(27.06.2022) 2P 6C

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