



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11305 of 2022

1. Gangadharan

2. Ayyappan

3. Arunraj

4. Yuvaraj

5. Venkatachalapathy

..Petitioners/Accused Nos.1 to 5

Vs

1.The Deputy Superintendent of Police,
Illupur,
Pudukkottai.

2.The State Represented by
The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
(In Crime No.138 of 2022)

.. Respondents 1 & 2/ Complainants

3.Neelamanikandan

..3rd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal Sessions Judge (Special Court for PCR Cases) Pudukkottai District to consider the bail application filed by the petitioners on the same day of surrender in Crime No.138 of 2022 on the file of the second respondent police.

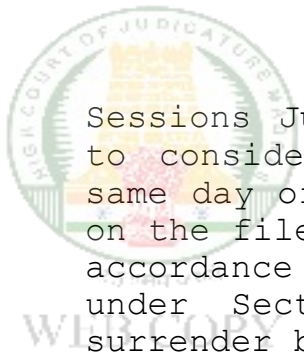
For Petitioners : Mr.P.Ganapathi Subramanian
Advocate.

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 Principal Sessions Judge (Special Court for PCR Cases) Pudukkottai District, to consider the bail application filed by the petitioners on the same day of surrender in Crime No.138 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 Principal



Sessions Judge (Special Court for PCR Cases) Pudukkottai District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.138 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 (AS)

// True Copy //

27/06/2022

Sub Assistant Registrar(CS)

ebsi

To

- 1.The Principal Sessions Judge
(Special Court for PCR Cases)
Pudukkottai District, Pudukkottai.
- 2.The Deputy Superintendent of Police,
Illupur, Pudukkottai.
- 3.The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN

CRL.O.P (MD) No.11305 of 2022

24.06.2022

SG (CO)

GC (27.06.2022) 2P 5C