



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11298 of 2022

WEB COPY

Thangapandi

... Petitioner/ Accused No.1
Vs

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

2. The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
Crime No.76 of 2022

... Respondents 1 & 2/
Complainants

3. Muniselvam

... 3rd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District & Sessions Court, Virudhunagar District at Srivilliputtur (Special Court for SC/ST Act cases) to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.76 of 2022 on the file of the second respondent police.

For Petitioner : Mr.M.Jothi Basu

For Respondent : 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 Principal District & Sessions Court, (Special Court for SC/ST Act cases), Srivilliputtur, Virudhunagar District, to consider the petitioner's bail application on the date of his surrender in respect of Crime No. 76 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 Principal District & Sessions Court, (Special Court for SC/ST Act cases), Srivilliputtur, Virudhunagar District, to consider the petitioner's bail



application, preferably on the same day of his surrender in connection with Crime No.76 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 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 (CO)

// True Copy //

27/06/2022

Sub Assistant Registrar(CS)

ebsi

To

1.The Principal District & Sessions Judge,
(Special Court for SC/ST Act cases)
Srivilliputtur,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Srivilliputtur,
Virudhunagar District.

3.The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.

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

+1 CC to M/s.G.M. LAW OFFICE, Advocate (SR-28146[F] dated
27/06/2022)

CRL.O.P (MD) No.11298 of 2022

24.06.2022

MGJ(27.06.2022) 2P 6C

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