



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11406 of 2022

WEB COPY

1. A.Rajkumar,
2. A.Jeyakumar, ... Petitioners/Accused No.1 & 2

Vs

1.The Deputy Superintendent Of Police,
Virudhunagar Sub Division,
Virudhunagar.

2.The Inspector of Police,
Amathur Police Station,
Virudhunagar District. ...1st & 2nd Respondents/Complainant

3. Sumithradevi, ...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to accept the surrender of the petitioners before the Special Court for Exclusive Trial Under SC/ST(Prevention of Atrocities)Act at Srivilliputhur, in connection with the Crime No.96 of 2022, on the file of the second respondent police.

For Petitioner : M/s.Sulthan Basha J,
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 Special Court for Exclusive Trial Under SC/ST (Prevention of Atrocities)Act at Srivilliputhur, to consider the petitioners' bail application on the same day of their surrender in Crime No. 96 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 Special Court for Exclusive Trial Under SC/ST(Prevention of Atrocities)Act at Srivilliputhur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 96 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 (AE)

// True Copy //

28/06/2022

Sub Assistant Registrar(CS)

lr

To

- 1.The Judge,
The Special Court for Exclusive Trial
Under SC/ST(Prevention of Atrocities)Act,
Srivilliputhur.
2. The Deputy Superintendent Of Police,
Virudhunagar Sub Division,
Virudhunagar.
3. The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B. FAZIL KIRMANI, Advocate (SR-28589[F]
dated 28/06/2022)

ORDER IN

CRL.O.P (MD) No.11406 of 2022

27.06.2022

nsn (CO)

GC(28.06.2022) 2P 6C

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