



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11432 of 2022

Vignesh @ Vikki

... Petitioner/ Sole Accused
Vs

1. The State represented by
The Deputy Superintendent of Police,
Theni, Theni District.
... 1st Respondent/Investigation Officer
2. The Inspector of Police,
Theni Police Station,
Theni District.
Crime No.201 of 2022 ... 2nd Respondent/ Complainant
3. Ganesan ... 3rd Respondent/ De-facto Complainant/
Victim

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the District Sessions Special Court (PCR Court), Theni to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.201 of 2022 on the file of the second respondent.

For Petitioner : Mr.C.Susi Kumar
For R1 & R2 : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction to the District Sessions Special Court (PCR Court), Theni to consider the bail application on his surrender on the same day, if any petition filed by the petitioner in Crime No.201 of 2022 on the file of the second respondent.

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 District Sessions Special Court (PCR Court), Theni, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.201 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 (Records)

// True Copy //

30/06/2022

Sub Assistant Registrar(CS)

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To

1. The District Sessions Special Judge (PCR Court),
Theni.
2. The Deputy Superintendent of Police,
Theni, Theni District.
3. The Inspector of Police,
Theni Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(30.06.2022) 2P 5C