



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2022

CORAM

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

CRL.O.P (MD) No.11559 of 2022

1.Mukesh @ Mugeskannan

2.Sivanesh @ Sivanesan

... Petitioners/Accused 5 & 9

**Vs**

1.The Sub Inspector of Police,  
Nainarkoil Police Station,  
Ramanathapuram District.  
(Crime No.101/2022)

2.The Deputy Superintendent Of Police,  
Paramakudi Circle,  
Ramanathapuram District.

3.Rajeshpandi

... Respondents

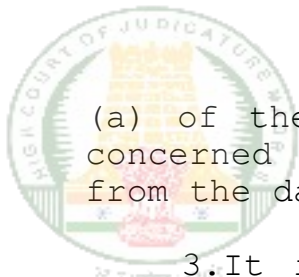
**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for Trial Cases under SC/ST Act, Ramanathapuram to consider the surrender and bail application filed by the petitioners in Crime No.101 of 2022 pending on the file of the respondent Police.

For Petitioners : Mr.A.Ravichandra Ramavanni  
For Respondents : Mr.A.Albert James,  
1 and 2 Government Advocate (Crl.Side)

**O R D E R**

This Criminal Original Petition has been filed to direct the Special Court for Trial Cases under SC/ST Act, Ramanathapuram to consider the surrender and bail application filed by the petitioners in Crime No.101 of 2022 pending on the file of the 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 the Special Court for Trial Cases under SC/ST Act, Ramanathapuram, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.101 of 2022 on the file of the first 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 (CRL SIDE)

// True Copy //

30/06/2022

Sub Assistant Registrar(CS)

To

- 1.The Special Court for Trial Cases under SC/ST Act  
Ramanathapuram.
- 2.The Sub Inspector of Police,  
Nainarkoil Police Station,  
Ramanathapuram District.
- 3.The Deputy Superintendent Of Police,  
Paramakudi Circle,  
Ramanathapuram District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER IN  
CRL.O.P (MD) No.11559 of 2022  
29.06.2022

RS (30.06.2022) 2P-5C