



Crl.O.P.(MD) No.11672 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.11672 of 2022

1. Xavier,

2. Nagalakshmi,

: Petitioners

Vs

1. The Deputy Superintendent Of Police,
DSP-Rural Sub Division,
Dindigal.

2. The Inspector of Police,
Chinnalapatti Police Station,
Dindigal District.

3. Pandiselvi,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue a direction to consider the bail application of the petitioners on merits in accordance with law on the same day in connection with Crime.No.84/2022 dt 26.06.2022 on the file of the respondents by the Special Court for Exclusive Trial of Cases under Section SC/ST (POD)Act, 1989, Dindigal within a stipulated time that may be fixed by this Court.



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For Petitioner : M/s. Senthilkumar R,
For R1 and R2 : Mr.A.Albert James,
Government Advocate (Crl.Side)
For R3 : Mr.R.Anand

ORDER

This Criminal Original Petition has been filed for a direction to direct the Special Court for Exclusive Trial of Cases under Section SC/ST (POD)Act, 1989, Dindigal, to consider the petitioners' bail application on the same day of their surrender in Crime No. 84 of 2022 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 Special Court for Exclusive Trial of Cases under Section SC/ST (POD)Act, 1989, Dindigal, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 84 of 2022 on the file of the respondent police and pass appropriate orders, in accordance



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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.

30.06.2022

Internet: Yes./No
Index: Yes/no
lr

Note: Issue order copy on 01.07.2022



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V.SIVAGNANAM, J.

lr

To

1.The Special Court for Exclusive Trial
of Cases under Section SC/ST (POD)Act, 1989,
Dindigal.

2. The Deputy Superintendent Of Police,
DSP-Rural Sub Division,
Dindigal.

3. The Inspector of Police,
Chinnalapatti Police Station,
Dindigal District.

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

ORDER IN
CRL.O.P (MD) No.11672 of 2022

30.06.2022