



Crl.O.P.(MD) No.11831 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No. 11831 of 2022

P.Kuppusamy

...Petitioner

Vs.

**1.The Deputy Superintendent of Police,
Oddachantram Office of the Deputy Superintendent of Police,
Dindigul District.**

**2.State rep. by
The Inspector of Police,
Oddachantram Police Station,
Dindigul District.**

3. Subramanian

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Special Court for exclusive trial of SC and ST Cases, Dindigul District to accept the surrender of the petitioner and to consider the bail application on the same day on merits in relating to Crime No.291 of 2022, dated 14.06.2022 on the file of the 1st respondent police.

For Petitioner : Mrs.S. Bharathi

**For Respondents : Mr.A. Albert James
Government Advocate (Crl. Side)**



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ORDER

This Criminal Original Petition has been filed for issuing a direction to the learned Special Court for exclusive trial of SC and ST Cases, Dindigul District, to consider the petitioner's bail application on the same day of his surrender in Crime No. 291 of 2022 on the file of the first 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 SC and ST Cases, Dindigul District, , to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.291 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



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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.

01.07.2022

Internet:Yes./No

Index:Yes/no

trp

To

1. The Special Court for exclusive trial of SC and ST Cases,
Dindigul District

2.The Deputy Superintendent of Police,
Oddachantram Office of the Deputy Superintendent of Police,
Dindigul District.

3.The Inspector of Police,
Oddachantram Police Station,
Dindigul District.

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



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V.SIVAGNANAM, J.

trp

ORDER IN

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