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Crl.O.P.(MD) No.12146 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12146 of 2022

- 1.Murugesan @ Murugesh
- 2.Mari @ Mariappan
- 3.Murugan @ Kothanar Murugan
- 4.Thangaselvam

... Petitioners

Vs

- 1.The Deputy Superintendent Of Police,
Ambasamudram,
Tirunelveli District.

- 2.The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.

- 3.Mupidathi
- 4.Chermadurai

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Additional District and Sessions Judge cum Exclusive Trial of SC/St cases Judge (PCR), Tirunelveli, to accept the surrender of the petitioners and consider their bail application on the same day on merit relating to Crime No.105 of 2022, dated 27.06.2022.

For Petitioners : Mr.S.Sathiyachidambaram



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Crl.O.P.(MD) No.12146 of 2022

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

ORDER

This Criminal Original Petition has been filed to direct the learned II Additional District and Sessions Judge cum Exclusive Trial of SC/St cases Judge (PCR), Tirunelveli, to accept the surrender of the petitioners and consider their bail application on the same day on merit relating to Crime No.105 of 2022, dated 27.06.2022.

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 learned II Additional District and Sessions Judge cum Exclusive Trial of SC/St cases Judge (PCR), Tirunelveli, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.105 of 2022 on the file of the second respondent and pass appropriate orders, in accordance with law, after affording due opportunity



Crl.O.P.(MD) No.12146 of 2022

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.

06.07.2022

Internet: Yes./No

Index: Yes/no

vsg

Note: Issue order copy on 07.07.2022



Crl.O.P.(MD) No.12146 of 2022

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To

- 1.The learned II Additional District and Sessions Judge
cum Exclusive Trial of SC/St cases Judge (PCR),
Tirunelveli.
- 2.The Deputy Superintendent Of Police,
Ambasamudram,
Tirunelveli District.
- 3.The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.12146 of 2022

V.SIVAGNANAM, J.

vsg

ORDER IN
CRL.O.P (MD) No.12146 of 2022

06.07.2022