



Crl.O.P.(MD) No.12368 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12368 of 2022

1. Rajagopal @ Gopal
2. Ramasamy
3. Balakrishnan
4. Dhinakaran
5. Chellapandi

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Usilampatti Sub Division,
Madurai District.
2. The Inspector of Police,
Elumalai Police Station,
Madurai District
(Crime No. 108 of 2022).
3. Kuppapuli

... Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additinoal Sessions Jude (PCR Court), Special Court for Trial Cases registered under SC/ST (POA) Act Cases, Madurai to consider the petitioners bail application on the same day of their surrender in Crime No. 108 of 2022 on the file of the R2.

For Petitioner : Mr.K.Anbumanikandan
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned III Additinoal Sessions Jude (PCR Court), Special Court for Trial Cases registered under SC/ST (POA) Act Cases, Madurai, to consider the petitioners bail application on the same day of their surrender in Crime No. 108 of 2022 on the file of the second 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



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the Parliament against innocent persons, there shall be a direction to the learned III Additional Sessions Judge (PCR Court), Special Court for Trial Cases registered under SC/ST (POA) Act Cases, Madurai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 108 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 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.



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4. With the above direction, this Criminal Original Petition is allowed.

08.07.2022

Internet: Yes./No

Index: Yes/no

PNM

Note: Issue order copy on 11.07.2022

To

1.The III Additinoal Sessions Jude (PCR Court),
Special Court for Trial Cases registered under SC/ST (POA) Act Cases,
Madurai

2. The Deputy Superintendent Of Police,
Usilampatti Sub Division,
Madurai District.

3. The Inspector of Police,
Elumalai Police Station,
Madurai District
(Crime No. 108 of 2022).

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



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V.SIVAGNANAM, J.

PNM

ORDER IN
CRL.O.P (MD) No.12368 of 2022

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