



Crl.O.P.(MD) No.12289 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12289 of 2022

1. Rajangam

2. Panchu @ Panchupandi

... Petitioners

Vs

1. The Deputy Superintendent Of Police,
Thiruchuli Sub Division,
Virudhunagar District.

2. The Inspector of Police,
A. Mukkulam Police Station,
Virudhunagar District
(Crime No. 52 of 2022).

3. XXXXXXXXX,
D/o. Murugan

4. Prakash Raj

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned District and Sessions Judge (Special Judge for POCSO Cases), Srivilliputhur, Virudhunagar to consider the petitioners bail application on the same day of their surrender in Crime No. 52 of 2022 on the file of the R2.

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For Petitioners : Mr.C.Suresh Kannan
Advocate.

For Respondents: Mr.A.Albert James(R1, R2)
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned District and Sessions Judge (Special Judge for POCSO Cases), Srivilliputhur, Virudhunagar, to consider the petitioners bail application on the same day of their surrender in Crime No. 52 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 the Parliament against innocent persons, there shall be a direction to the learned District and Sessions Judge (Special Judge for POCSO Cases), Srivilliputhur, Virudhunagar, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 52 of 2022 on the file of the second respondent and pass appropriate orders,



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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.

08.07.2022

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

Note: Issue order copy on 12.07.2022



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V.SIVAGNANAM, J.

PNM

To

1.The District and Sessions Judge
(Special Judge for POCSO Cases), Srivilliputhur,
Virudhunagar

2. The Deputy Superintendent Of Police,
Thiruchuli Sub Division,
Virudhunagar District.

3. The Inspector of Police,
A. Mukkulam Police Station,
Virudhunagar District
(Crime No. 52 of 2022).

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

ORDER IN
CRL.O.P (MD) No.12289 of 2022

08.07.2022