



Crl.O.P.(MD) No.12350 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.12350 of 2022

S.Santhana Babu

... Petitioner

Vs

1. The Deputy Superintendent Of Police,
Tiruchendur Sub Division,
Tiruchendur, Thoothukudi District.
(Cr.No.153/2022).

2. The Inspector of Police,
Arumuganeri Police Station, Arumuganeri,
Thoothukudi District.
Cr.No.153/2022.

3. Anbaiah

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct Special Court for SC/ST (POA) Act Cases, Thoothukudi District to consider the petitioner's bail application on the same day of his surrender in Crime No.153 of 2022.

For Petitioner : Mr.N.Pragalathan

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

1/5



Crl.O.P.(MD) No.12350 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed for a direction, to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act Cases, Thoothukudi District to consider the petitioner's bail application in Crime No.153 of 2022, on the file 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 Sessions Judge, Special Court for SC/ST (POA) Act Cases, Thoothukudi District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 153 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.



Crl.O.P.(MD) No.12350 of 2022

WEB COPY

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 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 11.07.2022



Crl.O.P.(MD) No.12350 of 2022

To

1.The Sessions Judge,
Special Court for SC and ST Act, PCR Court,
Thoothukudi.

2.The Deputy Superintendent Of Police,
Tiruchendur Sub Division,
Tiruchendur, Thoothukudi District.
(Cr.No.153/2022).

3. The Inspector of Police,
Arumuganeri Police Station, Arumuganeri,
Thoothukudi District.
Cr.No.153/2022.

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



WEB COPY



Crl.O.P.(MD) No.12350 of 2022

V.SIVAGNANAM, J.

PNM

ORDER IN
CRL.O.P (MD) No.12350 of 2022

08.07.2022