



Crl.O.P.(MD) No.12384 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12384 of 2022

1.M.Rajasekar @ M.Rajasekaran

2.R.Gothavari

3.P.Kanniyammal

4.T.Sachulu

...Petitioners

Vs

1.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Manapparai,
Trichy District.
Trichy.

2.The State,
Represented by,
The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.
(Crime No.223 of 2022)

3.V.Manivel

... Respondents



CrI.O.P.(MD) No.12384 of 2022

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned First Additional District and Session Judge Special Court for SC/ST (POA) Act Cases (PCR) Trichy to consider the bail petition of the petitioners on the same day of their surrender in Crime No.223 of 2022 on the file of the second respondent Police.

For Petitioners : Mr.K.Manoharan
For R-1 and R-2 : Mr.A.Albert James,
Government Advocate,
(Criminal Side).

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned First Additional District and Session Judge Special Court for SC/ST (POA) Act Cases (PCR) Trichy to consider the bail petition of the petitioners on the same day of their surrender in Crime No.223 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 First Additional District and Session Judge Special Court for SC/ST (POA) Act Cases (PCR) Trichy, to consider the petitioners' bail application,



Crl.O.P.(MD) No.12384 of 2022

preferably on the same day of their surrender in connection with Crime No.223 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.

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

11.07.2022

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

Note: Issue order copy on 12.07.2022

3/5



Crl.O.P.(MD) No.12384 of 2022

To

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1. First Additional District and Session Judge,
Special Court for SC/ST (POA) Act Cases (PCR),
Trichy.
2. The Deputy Superintendent of Police,
Andipatti Circle,
Theni District.
3. The Inspector of Police,
Varasanadu Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.12384 of 2022

V.SIVAGNANAM, J.

Nsr

ORDER IN
CRL.O.P (MD) No.12384 of 2022

11.07.2022