



Crl.O.P.(MD) No.12462 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.12462 of 2022

1.Mayi

2.Rajammal

3.Vigneshwaran

...Petitioners

Vs

1.The Deputy Superintendent of Police,
Andipatti Circle,
Theni District.
(In Crime No.84 of 2022)

2.The Inspector of Police,
Varasanadu Police Station,
Theni District.

3.Tamilan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Court, Theni to consider the surrender and bail application filed by the petitioners in Crime No.84 of 2022 pending investigation on the file of the respondent police on the same day.



Crl.O.P.(MD) No.12462 of 2022

For Petitioner : Mr.R.Gandhi

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 Principal District and Sessions Court, Theni to consider the surrender and bail application filed by the petitioners in Crime No.84 of 2022 pending investigation on the file of the respondent police on the same day

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 Principal District and Sessions Court, Theni, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 84 of 2022 on the file of the second respondent and pass appropriate orders, in accordance with law, after affording due

2/5



Crl.O.P.(MD) No.12462 of 2022

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



Crl.O.P.(MD) No.12462 of 2022

To

- 1.The Principal District and Sessions Court,
Theni.
- 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.12462 of 2022

V.SIVAGNANAM, J.

Nsr

ORDER IN
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