



Crl.O.P.(MD) No.12791 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12791 of 2022

1.A.Saleem

2.A.Sabeer Ahamed

3.S.Ameer

... Petitioners

Vs

1.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.

2.The State,
Represented by,
The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
(Crime No.501 of 2022)

3.S.Sanjai

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal and District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)



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Act,1989, Tanjur to accept the surrender of the petitioners and consider their bail applications and grant bail on the same date of surrender itself in connection with the case in Crime No.501 of 2022, registered on 04.07.2022 on the file of the second respondent Police.

For Petitioner : Mr.M.Mohamed Abbas

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 and District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tanjur to accept the surrender of the petitioners and consider their bail applications and grant bail on the same date of surrender itself in connection with the case in Crime No.501 of 2022, registered on 04.07.2022 on the file of the second respondent Police.



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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 and District Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tanjur, to consider the petitioners bail applications, preferably on the same day of their surrender in connection with Crime No.501 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 petitions 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 petitions 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.

20.07.2022

Internet: Yes./No

Index: Yes/no

Nsr

Note: Issue order copy on 22.07.2022

To

- 1.The Principal and District Sessions Judge,
(Special Court for Scheduled Castes and Scheduled Tribes,
(Prevention of Atrocities) Act,1989,
Thanjavur District.
- 2.The Deputy Superintendent of Police,
Papanasam,
Thanjavur District.
- 3.The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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V.SIVAGNANAM, J.

Nsr

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