



Crl.O.P.(MD) No.13700 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13700 of 2022

S.Rajapandi(Minor)

Rep. by his father Thirupathi @ Selvam

...Petitioner

vs

**1. The Deputy Superintendent of Police
O/o.Nilakottai Sub Division
Batlangundu Police Station
Dindigul District**

**2. The Inspector of Police
Batlangundu Police Station
Dindigul District**

3. A.Suriya

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act 1989 Dindigul to accept the surrender of the petitioner / Accused No.5 and to consider their bail applications and grant bail on the date of surrender itself in Crime No. 191 of 2022 dated 19.05.2022 on the file of the second respondent.



Crl.O.P.(MD) No.13700 of 2022

For Petitioner : Mr.A.KarthickKumar
For Respondents : Mr.A.Albert James
No.1 and 2 : Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act 1989 Dindigul to accept the surrender of the petitioner / Accused No.5 and to consider his bail application and grant bail on the date of surrender itself in Crime No. 191 of 2022 dated 19.05.2022 on the file of the second respondent.

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 Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act 1989 Dindigul, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 191 of 2022 on the file of the second respondent and pass appropriate orders, in accordance with law, after affording due



Crl.O.P.(MD) No.13700 of 2022

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.

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.

01.08.2022

Internet: Yes./No

Index: Yes/no

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Note: Issue order copy on 02.08.2022



Crl.O.P.(MD) No.13700 of 2022

To

WEB COPY

- 1.The Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act 1989 Dindigul
2. The Deputy Superintendent of Police
O/o.Nilakottai Sub Division
Batlangundu Police Station
Dindigul District
3. The Inspector of Police
Batlangundu Police Station
Dindigul District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.13700 of 2022

V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.13700 of 2022

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