



CRL.O.P (MD) No.13126 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.07.2022

CORAM

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

CRL.O.P (MD) No.13126 of 2022

P.Sudharsan

... Petitioner/Accused No.3

Vs.

1.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.

2.The Inspector of Police,
Jeyamangalam Police Station,
Theni District.
(Crime No.73 of 2022)

...1st & 2nd Respondents/Complainant

3.Ramkumar

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District Judge, Special Court for PCR, Theni to accept the surrender of the petitioner and consider his bail application on the same day in connection with Crime No.73 of 2022 on the file of the respondent police.

For Petitioner : Mr.B.Vijay Karthikeyan
For R1 – R2 : Mr.A.Albert James,
Government Advocate (Crl.Side)



CRL.O.P (MD) No.13126 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed for a direction to direct the learned Principal District Judge, Special Court for PCR, Theni, to consider the petitioner's bail application on the same day of his surrender in Crime No.73 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 Principal District Judge, Special Court for PCR, Theni, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.73 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.13126 of 2022

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.

21.07.2022

Internet:Yes./No

Index:Yes/no

vsd

Note: Issue Order Copy on 22.07.2022

To

1.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.

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

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

3/4



WEB COPY



CRL.O.P (MD) No.13126 of 2022

V.SIVAGNANAM, J.

vsd

ORDER IN
CRL.O.P (MD) No.13126 of 2022

21.07.2022