



CRL.O.P (MD) No.13172 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.13172 of 2022

Mukesh

... Petitioner

Vs.

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

2.The Inspector of Police,
Lalkudi Police Station,
Trichy District.
(Crime No.237 of 2022)

...1st & 2nd Respondents/Complainant

3.Jayarajboobathi

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act, First Additional Session Judge (PCR), Trichy District to accept the surrender and consider the bail application of the petitioner on the same day of his surrender in Crime No.237 of 2022, Lalkudi Police Station.

For Petitioner : Mr.S.Ramasundarvijayraj
For R1 – R2 : Mr.A.Albert James,
Government Advocate (Crl.Side)



CRL.O.P (MD) No.13172 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed for a direction to direct the learned I Additional Session Judge (PCR), Special Judge for SC/ST (Prevention of Atrocities) Act, Trichy District, to consider the petitioner's bail application on the same day of his surrender in Crime No.237 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 I Additional Session Judge (PCR), Special Judge for SC/ST (Prevention of Atrocities) Act, Trichy District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.237 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.13172 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,
Office of the Deputy Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Lalkudi Police Station,
Trichy District.
(Crime No.237 of 2022)

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

3/4



WEB COPY



CRL.O.P (MD) No.13172 of 2022

V.SIVAGNANAM, J.

vsd

ORDER IN
CRL.O.P (MD) No.13172 of 2022

21.07.2022