



CRL.O.P (MD) No.13186 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.07.2022

CORAM

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

CRL.O.P (MD) No.13186 of 2022

Selvaraj

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Aranthnagi,
Pudukkottai District.

2.The Sub Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
(Crime No.146 of 2022)

...1st & 2nd Respondents/Complainant

3.Ganesan

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for SC/ST (POA) Act Cases (PCR Court), Pudukkottai to accept the surrender of the petitioner and consider his bail application on the same day in connection with Crime No.146 of 2022 on the file of the respondent police.

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



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ORDER

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This Criminal Original Petition has been filed for a direction to direct the learned Judge, Special Court for SC/ST (POA) Act Cases (PCR Court), Pudukkottai, to consider the petitioner's bail application on the same day of his surrender in Crime No.146 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 Judge, Special Court for SC/ST (POA) Act Cases (PCR Court), Pudukkottai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.146 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.



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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,
Aranthnagi,
Pudukkottai District.
2. The Sub Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
(Crime No.146 of 2022)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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V.SIVAGNANAM, J.

vsd

ORDER IN
CRL.O.P (MD) No.13186 of 2022

21.07.2022