



Crl.O.P.(MD) No.14325 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.14325 of 2022

Sivakumar

...Petitioner/A-2

.VS.

1. The State,
represented by its,
The Deputy Superintendent of Police
Thoothukudi,
Thoothukudi District.

2. The Inspector of Police
Pudukkottai Police Station
Thoothukudi District.
(Crime No.174 of 2022)

3. Sonaimuthu

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Additional Sessions Court (PCR Court), Thoothukudi, to consider the bail application of the petitioner on the same day of surrender in Crime No.174 of 2022 on the file of the 2nd respondent police station.



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For Petitioner : Mr.S.Vishnuvardhan

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 Additional Sessions Court (PCR Court), Thoothukudi, to consider the petitioner's bail application on the same day of his surrender in Crime No.174 of 2022 on the file of the 2nd 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 Additional Sessions Court (PCR Court), Thoothukudi, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 174 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



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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.

10.08.2022

Internet: Yes./No

Index: Yes/no

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Note: Issue order copy on 12.08.2022



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To
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1. The Deputy Superintendent of Police
Thoothukudi,
Thoothukudi District.
2. The Inspector of Police
Pudukkottai Police Station
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.14325 of 2022

10.08.2022