



Crl.O.P.(MD) No.15003 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15003 of 2022

1. Saroja,
(But stated as Sarojana in FIR)

2. Sivapandian,

3. Jeyasurya,
(But stated as Jeyasri in FIR)

4. Balakumar,

: Petitioners

Vs

1.The State represented by
The Deputy Superintendent Of Police,
PCR, Theni District

2. The Sub Inspector of Police,
Rayappanpatty Police Station,
Theni Distirct.
Crime No.175/2022

3. Palaniselvi,

: Respondents



Crl.O.P.(MD) No.15003 of 2022

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court (PCR), Theni accept the surrender of petitioners in connection with Crime No.175/2022, on the file of second respondent and consider the bail applications to be filed by them on the same day on merits and in accordance with law.

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

ORDER

This Criminal Original Petition has been filed for a direction to direct the Special Court (PCR), Theni, to consider the petitioners' bail application on the same day of their surrender in Crime No. 175 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 Special Court (PCR), Theni, to consider the petitioners' bail application,



Crl.O.P.(MD) No.15003 of 2022

preferably on the same day of their surrender in connection with Crime No. 175 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 petitioners 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 petitioners 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.

23.08.2022

Internet: Yes./No
Index: Yes/no
lr

3/5



Crl.O.P.(MD) No.15003 of 2022

Note: Issue order copy on 24.08.2022

WEB COPY

To

- 1.The Special Court (PCR), Theni.
- 2.The Deputy Superintendent Of Police,
PCR, Theni District
3. The Sub Inspector of Police,
Rayappanpatty Police Station,
Theni Distirct.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.15003 of 2022

V.SIVAGNANAM, J.

lr

ORDER IN
CRL.O.P (MD) No.15003 of 2022

23.08.2022