



CrI.O.P.(MD) No.14570 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.14570 of 2022

1. Selvakumar,

2. Sanjai,

: Petitioners

Vs

1.State represented by
The Deputy Superintendent Of Police,
Samayanallur Sub Division,
Madurai District

2. The Inspector of Police,
Sholavandhan Police Station,
Madurai District
(Crime No. 143 of 2022).

: Respondents/Complainant

3. Karuppu,

: Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District Judge (PCR), Madurai to accept the surrender of the petitioners and consider the bail application on



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merits on the date of his surrender in Crime No. 143 of 2022, on the file of the second respondent on the very same day.

For Petitioner : M/s.Pitchai Muthu.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 learned III Additional District Judge (PCR), Madurai, to consider the petitioners' bail application on the same day of their surrender in Crime No. 143 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 III Additional District Judge (PCR), Madurai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 143 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



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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.

12.08.2022

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

Note: Issue order copy on 17.08.2022



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To

1.The III Additional District Judge (PCR), Madurai

2.The Deputy Superintendent Of Police,
Samayanallur Sub Division,
Madurai District

3. The Inspector of Police,
Sholavandhan Police Station,
Madurai District

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



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V.SIVAGNANAM, J.

lr

ORDER IN
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