



Crl.O.P.(MD) No.14597 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.14597 of 2022

Avin Kumar,

: Petitioner

Vs

1.The State represented by
The Deputy Superintendent Of Police,
Paramakudi,
Ramanathapuram District

2. The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
Crime No.166 of 2022

3. Paveen Kumar,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for Exclusive Trial of cases Under SC/ST(POA)Act,(PCR Court), Ramanathapuram to consider the bail application of the Petitioner in connection with the FIR in Crime No.166 of 2022 on the file of the second respondent police on the very same date of the surrender of the petitioner and to enlarge the petitioner on bail on the very same day itself by allowing the petitioner's



Crl.O.P.(MD) No.14597 of 2022

bail application.

WEB COPY

For Petitioner : M/s.Jeyakarthik M.S.,
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 Sessions Judge, Special Court for Exclusive Trial of cases Under SC/ST(POA)Act, (PCR Court), Ramanathapuram, to consider the petitioners' bail application on the same day of their surrender in Crime No. 166 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 Sessions Judge, Special Court for Exclusive Trial of cases Under SC/ST(POA)Act, (PCR Court), Ramanathapuram, to consider the petitioners' bail application, preferably on the same day of their surrender in



Crl.O.P.(MD) No.14597 of 2022

connection with Crime No. 166 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.

16.08.2022

Internet: Yes./No

Index: Yes/no

lr

Note: Issue order copy on 17.08.2022

3/5



Crl.O.P.(MD) No.14597 of 2022

WEB COPY

To

- 1.The Sessions Judge, Special Court for
Exclusive Trial of cases Under
SC/ST(POA)Act,(PCR Court),
Ramanathapuram
- 2.The Deputy Superintendent Of Police,
Paramakudi,
Ramanathapuram District
3. The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.14597 of 2022

V.SIVAGNANAM, J.

lr

ORDER IN
CRL.O.P (MD) No.14597 of 2022

16.08.2022