



CRL.O.P (MD) No.14726 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2022

CORAM

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

CRL.O.P (MD) No.14726 of 2022

Murugapandi

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Theni District,
Theni.

2.The State rep by the
Inspector of Police,
Jeyamangalam Police Station,
Periyakulam,
Theni District.
(in Crime No.102 of 2022)

3.Priya

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for SC/ST (Prevention of Atrocities Act), Theni, to consider the surrender and bail application filed by the petitioner in Crime No.102 of 2022 pending on the file of the second respondent police and to consider the bail application filed by the petitioner on the same day.



WEB COPY



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For Petitioner : Mr.P.Muruganathan
Advocate.

For R1 & R2 : Mr.A.Albert James,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned Judge, Special Court for SC/ST (Prevention of Atrocities Act), Theni, to consider the petitioner's bail application on the same day of his surrender in Crime No.102 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 (Prevention of Atrocities Act), Theni, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.102 of 2022 on the file of the second respondent and pass appropriate orders, in accordance with law,



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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.

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.

17.08.2022

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

Note: Issue Order Copy on 18.08.2022

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V.SIVAGNANAM, J.

cp

To

- 1.The Deputy Superintendent of Police,
Theni District,
Theni.
- 2.The Inspector of Police,
Jeyamangalam Police Station,
Periyakulam,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
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17.08.2022