



Crl.O.P.(MD) No.14809of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.14809 of 2022

M.Sabari

...Petitioner

VS

**1. The Deputy Superintendent of Police
Sankarankovil, Tenkasi District**

**2. The Inspector of Police
Kuruvikulam Police Station
Tenkasi District**

3. Sivasankar @ Sankar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Addl District and Sessions Judge (PCR) Court, Tirunelveli to consider the Bail application of the petitioner concerned in Crime No. 114 of 2022 on the file of the Inspector of Police, Kuruvikulam Police Station, Tenkasi/second respondent herein on the same day of surrender.

**For Petitioner : Ms.C.R.Ponnuthai
For Respondents : Mr.A.Albert James
No.1 and 2 : Government Advocate(Crl.Side)**



Crl.O.P.(MD) No.14809of 2022

ORDER

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This Criminal Original Petition has been filed for a direction to direct the learned II Addl District and Sessions Judge (PCR) Court, Tirunelveli to consider the bail application of the petitioner concerned in Crime No. 114 of 2022 on the file of the Inspector of Police, Kuruvikulam Police Station, Tenkasi/second respondent herein on the same day of surrender.

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 II Addl District and Sessions Judge (PCR) Court, Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 114 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 Court, within a period of fifteen days, from the date of the receipt of a copy of this Order.



Crl.O.P.(MD) No.14809of 2022

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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.

18.08.2022

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

Note: Issue order copy on 22.08.2022



Crl.O.P.(MD) No.14809of 2022

To

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- 1.The II Addl District and Sessions Judge (PCR) Court, Tirunelveli
2. The Deputy Superintendent of Police
Sankarankovil, Tenkasi District
3. The Inspector of Police
Kuruvikulam Police Station
Tenkasi District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.14809of 2022

V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.14809 of 2022

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