



CRL.O.P (MD) No.14888 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.14888 of 2022

Arumugam

... Petitioner/Accused No.1

Vs.

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam Division,
Theni District.

2.The State Rep.by
The Inspector of Police,
Devadanapatti Police Station,
Theni District.

(Crime No.300 of 2022)

...1st & 2nd Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for Trial of SC/ST Cases (PCR Court), Theni, pleased to accept the surrender of the petitioner and consider the petitioner's bail application on the same day of their surrender itself in Crime No.300 of 2022, dated 13.08.2022 on the file of the second respondent police.

For Petitioner
For R1 - R2

: Mr.B.Karthee
: Mr.A.Albert James,
Government Advocate (Crl.Side)



CRL.O.P (MD) No.14888 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the learned Judge, Special Court for Trial of SC/ST Cases (PCR Court), Theni District, to consider the petitioner's bail application in Crime No.300 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 Trial of SC/ST Cases (PCR Court), Theni District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.300 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.14888 of 2022

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

vsd

Note:Issue Order Copy on 18.08.2022

To

1.The Special Court for Trial of SC/ST Cases (PCR Court),
Theni.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam Division,Theni District.

3.The Inspector of Police,
Devadanapatti Police Station,
Theni District.

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

3/4



WEB COPY



CRL.O.P (MD) No.14888 of 2022

V.SIVAGNANAM, J.

vsd

ORDER IN
CRL.O.P (MD) No.14888 of 2022

18.08.2022