



Crl.O.P.(MD) No.15252 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15252 of 2022

1.R.Kalaiyaran
2.R.Ragu

... Petitioners/A1 and A2

Vs

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Oomatchikulam sub-division,
Madurai District.

2.The Inspector of Police,
Appanthiruappathi Police Station,
Madurai District,
(In Crime No.116 / 2022).

... Respondents/Defacto complainant

3.S.Rajkumar

... 3rd Respondent/defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct Additional District and Sessions Court for PCR Cases, Madurai to consider the bail application that will be filed by the petitioners in Crime No.116 of 2022 on the file of the second respondent police on the same day of its filing.

1/5



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For Petitioner : Mr.S.Rajasekaran

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

ORDER

This Criminal Original Petition has been filed to direct the Additional District and Sessions Court for PCR Cases, Madurai to consider the petitioners bail application on the same day of their surrender in Crime No. 116 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 Additional District and Sessions Court for PCR Cases, Madurai to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.116 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



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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.

25.08.2022

Internet:Yes./No

Index:Yes/no

skn

Note : Issue order copy on 26.08.2022



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To

WEB COPY

- 1.The Additional District and Sessions Court for PCR Cases,
Madurai.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Oomatchikulam sub-division,
Madurai District.
- 3.The Inspector of Police,
Appanthiruappathi Police Station,
Madurai District,
(In Crime No.116 / 2022).
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

skn

ORDER IN

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25.08.2022