



Crl.O.P.(MD) No.15268 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.15268 of 2022

Ganesh

...Petitioner

VS

**1. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Rameswaram Division.**

**2. The Inspector of Police
Rameshwaram Town Police Station
Ramanathapuram District**

3. Ajith

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for trial of cases registered under SC/ST(POA) Act 1989, Ramanathapuram to consider the bail application of the Petitioner on the same day of his surrender in Cr.No. 186 of 2022 on the file of the respondent police.

**For Petitioner : Mr.B.Senthil Kumar
For Respondents : Mr.A.Albert James
No.1 and 2 : Government Advocate(Crl.Side)**



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ORDER

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This Criminal Original Petition has been filed for a direction to direct the learned Sessions Judge, Special Court for trial of cases registered under SC/ST(POA) Act 1989, Ramanathapuram to consider the bail application of the Petitioner on the same day of his surrender in Cr.No.186 of 2022 on the file of the 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 Sessions Judge, Special Court for trial of cases registered under SC/ST(POA) Act 1989, Ramanathapuram, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 186 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.



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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.

25.08.2022

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

Note: Issue order copy on 29.08.2022



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To

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- 1.The Sessions Judge,Special Court for trial of cases registered under SC/ST(POA) Act 1989,Ramanathapuram
2. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Rameswaram Division.
3. The Inspector of Police
Rameshwaram Town Police Station
Ramanathapuram District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.15268 of 2022

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