



Crl.O.P.(MD) No.15243 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.15243 of 2022

Kannan

... Petitioner/Sole Accused

Vs.

**1.The Deputy Superintendent of Police,
Thiruvadanai
Ramanathapuram District.**

**2.The State
Rep. by Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.
(Crime No.173 of 2022)**

...1st & 2nd Respondents/Complainants

3.Malaikannan

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the District and Sessions Judge (PCR Court), Ramanathapuram to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.173 of 2022 dated 19.08.2022 on the file of the respondent police.



Crl.O.P.(MD) No.15243 of 2022

For Petitioner : Mr.D.Rameshkumar
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 District and Sessions Judge, (PCR Court), Ramanathapuram, to consider the petitioner's bail application on the same day of his surrender in Crime No.173 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 District and Sessions Judge, (PCR Court), Ramanathapuram, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.173 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



Crl.O.P.(MD) No.15243 of 2022

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.

25.08.2022

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



Crl.O.P.(MD) No.15243 of 2022

To

WEB COPY

- 1.The District and Sessions Judge (PCR Court),
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Thiruvadanai
Ramanathapuram District.
- 3.The Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.
(Crime No.173 of 2022)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.15243 of 2022

V.SIVAGNANAM, J.

skn

ORDER IN

CRL.O.P (MD) No.15243 of 2022

25.08.2022