



Crl.O.P.(MD) No.15573 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2022

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THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.15573 of 2022

Devaraj @ Devadash

...Petitioner

VS

**1. The Deputy Superintendent of Police
Sivagangai Sub Division
Sivagangai, Sivagangai District**

**2. The Inspector of Police
Salaigramam Police Station
Salaigramam, Sivagangai District**

3. Thavasurajan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Sivagangai to consider the bail application of the petitioner on the same day of his surrender in Crime No. 78 of 2022 on the file of the first and second respondent police.

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



Crl.O.P.(MD) No.15573 of 2022

ORDER

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This Criminal Original Petition has been filed for a direction to direct the learned Sessions Judge, Special Court for SC/ST (POA) Act, Sivagangai to consider the bail application of the petitioner on the same day of his surrender in Crime No. 78 of 2022 on the file of the first and 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 Sessions Judge, Special Court for SC/ST (POA) Act, Sivagangai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 78 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.15573 of 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.

29.08.2022

Internet: Yes./No
Index: Yes/no
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Note: Issue order copy on 30.08.2022



Crl.O.P.(MD) No.15573 of 2022

To

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- 1.The Sessions Judge, Special Court for SC/ST (POA) Act, Sivagangai
2. The Deputy Superintendent of Police
Sivagangai Sub Division
Sivagangai, Sivagangai District
3. The Inspector of Police
Salaigramam Police Station
Salaigramam, Sivagangai District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.15573 of 2022

V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.15573 of 2022

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