



Crl.O.P.(MD)No.22501 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **20.12.2022**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.22501 of 2022

Ranjith Kumar,

: Petitioner

Vs

State by it's through

1. The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Othanchattiram, Dindigul District

2. The Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.364/2022).

3. Selva Kumar,

: Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Special Court for Trial Cases registered under SC/ST (POA) Act, Dindigul to consider the bail application at the time of surrender of the Petitioner in connection with Crime No.364/2022 dated 06.11.2022 is pending investigation on the file of the second respondent police.



WEB COPY



Crl.O.P.(MD)No.22501 of 2022

For Petitioner : Mr.R.Ganesh Prabu
For R1 & R2 : Mr.R.Sivakumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the Special Court for Trial Cases registered under SC/ST (POA) Act, Dindigul to consider the bail application at the time of surrender of the Petitioner in connection with Crime No.364/2022, dated 06.11.2022, on the file of the second respondent police.

2. The petitioner is an accused for the offences punishable under Sections 294(b) and 506(1) IPC r/w Sections 3(l)(r) and 3(l)(s) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.364 of 2022, pending on the file of the second respondent police and apprehending arrest, the petitioner has filed the present petition.

3. Heard the learned counsel appearing for the petitioner, the



Crl.O.P.(MD)No.22501 of 2022

learned Government Advocate (Crl.Side) appearing for the respondents

1 and 2 and perused the materials available on record.

4. 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 Special Court for Trial Cases registered under SC/ST (POA) Act, Dindigul, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.364 of 2022 on the file of the second respondent police 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.

5. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous



Crl.O.P.(MD)No.22501 of 2022

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 favorably.

6. With the above direction, this Criminal Original Petition stands allowed.

20.12.2022

Index : Yes / No
Internet : Yes / No
lr



WEB COPY



Crl.O.P.(MD)No.22501 of 2022

To

- 1.The Special Court for Trial Cases
registered under SC/ST (POA) Act,
Dindigul.
2. The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Othanchattiram, Dindigul District
3. The Inspector of Police,
Sempatti Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.22501 of 2022

K.MURALI SHANKAR,J.

lr

Order made in
Crl.O.P.(MD)No.22501 of 2022

Dated: 20.12.2022