



*Crl.O.P.(MD)No.23336 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.12.2022**

CORAM

**THE HON'BLE Ms.JUSTICE R.N.MANJULA**

**Crl.O.P.(MD)No.23336 of 2022**

Rasappan

... Petitioner/Sole Accused

Vs.

1. The Deputy Superintendent of Police,  
Illupur,  
Pudukkottai.

2. State rep. by  
The Inspector of Police,  
Illupur Police Station,  
Pudukkottai District.  
(Cr.No.345 of 2022)

3. Chelladurai

... Respondents

**PRAYER** : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal Sessions Judge (Special Court for PCR Cases), Pudukkottai District to consider the bail application filed by the petitioner on the same day of surrender in Crime No.345 of 2022 on the file of the second respondent Police.

For Petitioner  
For R1 & R2

: Mr.B.Sekar  
: Mr.A.Thiruvadi Kumar,  
Additional Public Prosecutor



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## **ORDER**

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Principal Sessions Judge (Special Court for PCR Cases), Pudukkottai District, to accept the surrender of the petitioner and consider his bail application on the same day on merits in relating to Crime No.345 of 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) of IPC r/w. Sections 3(1)(r), 3(1)(s), 3(2)(za) (c) and 3(2)(Va) of the Scheduled Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.345 of 2022, pending on the file of the second respondent police and apprehending arrest, he has filed the present petition.

3. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and perused the materials available on record.



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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 learned Principal Sessions Judge (Special Court for PCR Cases), Pudukkottai District, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.345 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 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



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to consider it favorably.

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

**28.12.2022**

Index : Yes / No  
Internet : Yes / No  
CM/ogy

To

1. The Deputy Superintendent of Police,  
Illupur,  
Pudukkottai.
2. State rep. by  
The Inspector of Police,  
Illupur Police Station,  
Pudukkottai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**R.N.MANJULA,J.**

CM/OGY

Order made in  
**Crl.O.P.(MD)No.23336 of 2022**

Dated: 28.12.2022