



Crl.O.P.(MD)No.2424 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2424 of 2023

1.Karuppasamy

2.Ramadass Alias Raman

3.Murugesan

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
District Collectorate, Soolakkarai,
Virudhunagar District.

2.State rep.by
The Inspector of Police,
Soolakkarai Police Station,
Virudhunagar District.
(Crime No.23 of 2023)

3.Manjunathan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Special Sessions Court for Trial of Cases under SC/ST (POA) Act, Srivilliputhur, to consider and dispose of the bail application filed by the petitioners' in connection with Crime No.23



Crl.O.P.(MD)No.2424 of 2023

of 2023 on the file of the second respondent herein on the same day of his surrender.

For Petitioners : Mr.L.Prabhu,
For R1 & R2 : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the learned Special Sessions Court for Trial of Cases under SC/ST (POA) Act, Srivilliputhur, to consider and dispose of the bail application filed by the petitioners' in connection with Crime No.23 of 2023 on the file of the second respondent herein on the same day of his surrender.

2. The petitioners are accused for the offences punishable under Sections 294(b) and 506(ii) IPC r/w 3(1)(r), 3(1)(s) and 3(1)(u) of SC/ST (POA) Act, 2015, in Crime No.23 of 2023, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.



Crl.O.P.(MD)No.2424 of 2023

3. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Criminal Side) appearing for the State 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 learned Special Sessions Court for Trial of Cases under SC/ST (POA) Act, Srivilliputhur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.23 of 2023 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 petitioners 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



Crl.O.P.(MD)No.2424 of 2023

the petitioners 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.

07.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Special Sessions Court for Trial
of Cases under SC/ST (POA) Act,
Srivilliputhur.
- 2.The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
District Collectorate, Soolakkarai,
Virudhunagar District.
- 3.The Inspector of Police,
Soolakkarai Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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Crl.O.P.(MD)No.2424 of 2023

K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.2424 of 2023

Dated: 07.02.2023