



Crl.O.P.(MD)No.3332 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.3332 of 2023

Arulraj

... Petitioner/Accused No.2

Vs.

1. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Aranthangi Sub Division,
Pudukottai District.

2. State, represented by
The Inspector of Police,
Nagudi Police Station,
Pudukottai District.

(Crime No. 03 of 2023)

...1st and 2nd Respondents/Complainants

3. Balamurugan

...3rd Respondent/ Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Special Court for Exclusive Trial of Cases registered under Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Pudukkottai, to consider and dispose of the bail application filed by the petitioner in Crime No.3 of 2023 on the file of the second respondent herein on the same day of his surrender.



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For Petitioner : Mr. Prabhu.L
For R1 & R2 : Mr.R.Sureshkumar
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 Court for Exclusive Trial of Cases registered under Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Pudukkottai, to consider and dispose of the bail application filed by the petitioner in Crime No.3 of 2023 on the file of the second respondent herein on the same day of his surrender.

2. The petitioner is the accused for the offences punishable under Sections 3(1)(za)(D), 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.3 of 2023, pending on the file of the second respondent police and apprehending arrest, they have filed the present petition.



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3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and perused the materials available on record.

4. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that this is the second petition and the petitioner is not having any previous cases.

5. 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 Court for Exclusive Trial of Cases registered under Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Pudukkottai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.03 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 15A(3) of the SC/ST Act. The



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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.

6. 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 favorably.

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

10.03.2023

NCC	:	Yes / No
Index	:	Yes / No
Internet	:	Yes / No
Indu		



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To

1. The learned Special Court for Exclusive
Trial of Cases registered under SC and ST (PoA) Act,
Pudukkottai.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Aranthangi Sub Division,
Pudukkottai District.
3. The Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

Indu

Order made in
CrI.O.P.(MD)No.3332 of 2023

Dated: 10.03.2023