



Crl.O.P.(MD) No.8530 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.05.2023

CORAM

THE HONOURABLE MR. JUSTICE R. KALAIMATHI

CRL.O.P (MD) No.8530 of 2023

1.P.Santhosam

2.V.Selvi

... Petitioners/ Accused 1 & 3

Vs

1.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police Office,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Thirumangalam Taluk police station,
Thirumangalam,
Madurai District.
(Crime No.66 of 2023)

3.Pandiyarajan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned III Additional District Judge (PCR Cases) Court under SC & ST Act at Madurai to consider the bail application of the petitioner's to be filed before the said Court on the same day in Crime No.66 of 2023 pending on the file of the respondent police.



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For Petitioners : Mr.K. Shivakumar
For Respondents : Mr.M.Vaikkam Karunanithi
No.1 and 2 : Government Advocate (Crl.side)

ORDER

This petition is filed for a direction to direct the learned III Additional District Judge (PCR Cases) Court under SC & ST Act at Madurai to consider the bail application of the petitioner's to be filed before the said Court on the same day in Crime No.66 of 2023 pending on the file of the 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 III Additional District Judge (PCR Cases) Court under SC & ST Act at Madurai, to consider the petitioner's bail application, preferably on the same day of her surrender in connection with Crime No. 66 of 2023 on the file of the 2nd respondent and pass appropriate orders in accordance with law after affording due opportunity to the victim under Section 15A of SC/ST



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(POA) Act, 2015. 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.

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, the Criminal Original Petition stands disposed of.

11.05.2023

NCC : Yes / No
Internet: Yes./No
Index: Yes/no

Note: Issue order copy on 12.05.2023

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R. KALAIMATHI, J.

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To

1. The III Additional District Judge (PCR Cases) Court
under SC & ST Act at Madurai.
2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police Office, Thirumangalam,
Madurai District.
3. The Inspector of Police, Thirumangalam Taluk police station,
Thirumangalam, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No.8530 of 2023

11.05.2023