



Crl.O.P.(MD) No.8722 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.8722 of 2023

Arunpandi @ Arun Devar

... Petitioner/Accused No.8

Vs

1.The Deputy Superintendent of police,
Periyakulam Sub-Division,
Theni District.

2.The State by Sub-Inspector of Police,
Thenkarai Police Station,
Theni District.
In Crime No.24/2023.

... Respondent/Complainant

3.Chandrakumar

... Respondent/
Defacto-Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court for Trial of Cases under SC/ST (POA) Act, Theni namely the Sessions Judge (Full Additional Charge), P.C.R.Court, Theni to accept the surrender of the petitioner in Crime No.24 of 2023 on the file of the respondent police and to dispose of his bail application on the same day itself.



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For Petitioner : Mr.S.Balakarthick

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

ORDER

This petition is filed for a direction to direct the Special Court for Trial of Cases under SC/ST (POA) Act, Theni namely learned Sessions Judge (Full Additional Charge), P.C.R.Court, Theni to accept the surrender of the petitioner in Crime No.24 of 2023 on the file of the respondent police and to dispose of his bail application on the same day itself.

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 Sessions Judge (Full Additional Charge), P.C.R.Court, Theni, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.24 of 2023 on the file of the 2nd respondent and pass appropriate orders in accordance with law after



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affording due opportunity to the victim under Sections 15(A), (3) and (5) of SC/ST Amendment 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 learned Sessions Judge (Full Additional Charge), P.C.R.Court, Theni.
- 2.The Deputy Superintendent of police, Periyakulam Sub-Division,
Theni District.
- 3.The Sub-Inspector of Police, Thenkarai Police Station,
Theni District.
In Crime No.24/2023.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CRL.O.P (MD) No.8722 of 2023

11.05.2023