



Crl.O.P.(MD) No.8850 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

Crl.O.P.(MD) No.8850 of 2023

1.Eswaran @ Satheeswaran

2.Muthukalai

3.Lakshmanan

...Petitioners

Vs.

1.The Deputy Superintendent Of Police,
Melur Sub-Division, Madurai District.

2.The Inspector of Police,
Kottampatti Police Station,
Madurai District.

3.Veeraiah

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Hon'ble III Additional District and Sessions Judge, Madurai (Special Court for exclusively triable of cases under SC/ST Act), to consider the bail petition to be filed by the petitioners on the same day on their surrender in connection with Crime No.116 of 2023 on the file of the second respondent police.



Crl.O.P.(MD) No.8850 of 2023

For Petitioners : Mr.A.Mohan
For Respondents : Mr.A.Albert James (R1 & R2)
Government Advocate

ORDER

This petition has been filed seeking for a direction to the III Additional District and Sessions Judge, Madurai (Special Court for exclusively triable of cases under SC/ST Act), to consider the bail petitions to be filed by the petitioners on the same day on their surrender in connection with Crime No.116 of 2023 on the file of the second 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 III Additional District and Sessions Judge, Madurai (Special Court for exclusively triable of cases under SC/ST Act) to consider the petitioners' bail applications, preferably on the same day of



Crl.O.P.(MD) No.8850 of 2023

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their surrender in connection with Crime No.116 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.

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 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 favourably.

4. With the above direction, the Criminal Original Petition stands disposed of.

17.05.2023

NCC:Yes/No
Index:Yes/No
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Crl.O.P.(MD) No.8850 of 2023

T.V.THAMILSELVI, J.

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To

- 1.The III Additional District and Sessions Judge,
Madurai (Special Court for exclusively
triable of cases under SC/ST Act).
- 2.The Deputy Superintendent Of Police,
Melur Sub-Division, Madurai District.
- 3.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD) No.8850 of 2023

17.05.2023