



Crl.O.P.(MD) No.8843 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.8843 of 2023

1.Kannan

2.Pandidurai

...Petitioners

Vs.

1.The Deputy Superintendent Of Police,
Keeranur, Pudukkottai District.

2.The Inspector of Police,
Udayalipatti Police Station,
Pudukkottai District. Crime No.50 of 2023.

3.Sathiyaraj

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Learned Special Court for Trial of Cases under SC/ST(POA) Act, Pudukkottai to consider the bail application of the Petitioners on the same day of surrender in Cr.No.50 of 2023 on the file of the 2nd Respondent Police Station.



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For Petitioners : Mr.S.Mohammad Kasim

For Respondents : Mr.A.Albert James (R1 & R2)

Government Advocate

ORDER

This petition has been filed seeking for a direction to the Special Court for Trial of Cases under SC/ST(POA) Act, Pudukkottai, to consider the bail application of the Petitioners on the same day of surrender in Cr.No.50 of 2023 on the file of the 2nd Respondent Police Station.

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 Special Court for Trial of Cases under SC/ST(POA) Act, Pudukkottai to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.50 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



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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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T.V.THAMILSELVI, J.

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To

- 1.The Special Court for Trial of Cases under SC/ST(POA) Act,
Pudukkottai.
- 2.The Deputy Superintendent Of Police,
Keeranur, Pudukkottai District.
- 3.The Inspector of Police,
Udayalipatti Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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