



CrI.O.P.(MD)No.9248 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2023

CORAM:

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

CrI.O.P.(MD)No.9248 of 2023

1.Eswaran

2.Balaji

3.Bala @ Balasubramaniyan

... Petitioners

Vs.

1.The Deputy Superintendent Of Police,
Sivakasi Taluk, Virudhunagar District.

2.The State Rep by
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

3.Poomari

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Special Court for the Exclusive Trial of SC and ST cases, at Srivilliputhur, Virudhunagar District to consider the petitioners' bail application on the date of their surrender in respect of Crime No.165 of 2023 on the file of the respondent police.

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For Petitioners : Mr.S.Atham Ali
For R1 & R2 : Mr.A.Albert James,
Government Advocate(Crl.side)

ORDER

This petition has been filed seeking for a direction to the Special Court for the Exclusive Trial of SC and ST cases, at Srivilliputhur, Virudhunagar District, to consider and dispose of the petitioners' bail application on the same day of his surrender in respect of Crime No.165 of 2023 on the file of the second respondent.

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 the Exclusive Trial of SC and ST cases, at Srivilliputhur, Virudhunagar District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection



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with Crime No.165 of 2023 on the file of the second respondent 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 favorably.

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

18.05.2023

NCC:Yes/No
Index:Yes/No
Speaking / Non speaking order
gns



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T.V.THAMILSELVI, J.

gns

To

- 1.The Special Court for the Exclusive Trial of SC and ST cases,
Srivilliputhur, Virudhunagar District
- 2.The Deputy Superintendent Of Police,
Sivakasi Taluk, Virudhunagar District.
- 3.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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