



CrI.O.P.(MD)No.9386 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2023

CORAM:

THE HON'BLE MR JUSTICE P.VADAMALAI

CrI.O.P.(MD)No.9386 of 2023

Marimuthu

...Petitioner

Vs.

1.The Deputy Superintendent Of Police,
Virudhunagar, Viruthunagar District.

2.The Inspector of Police,
Viruthunagar East Police Station,
Viruthunagar District.
(Crime No.102 of 2023)

3.Priyanka

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act, Principal District and Sessions Judge (PCR Unit), Viruthunagar at Srivilliputhur to consider the bail application of the petitioner on the same day of his surrender in Cr.No.102 of 2023 on the file of the second respondent police.



CrI.O.P.(MD)No.9386 of 2023

For Petitioner : Mr.R.Pon Karthikeyan
For R1 & R2 : Mr.K.Sanjai Gandhi,
Government Advocate(CrI.side)

ORDER

This petition has been filed seeking for a direction to the Special Judge for SC/ST (Prevention of Atrocities) Act, Principal District and Sessions Judge (PCR Unit), Viruthunagar at Srivilliputhur to consider the bail application of the petitioner on the same day of his surrender in Cr.No.102 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 Special Judge for SC/ST (Prevention of Atrocities) Act, Principal District and Sessions Judge (PCR Unit), Viruthunagar at Srivilliputhur, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.102 of 2023



CrI.O.P.(MD)No.9386 of 2023

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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 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 favorably.

4. With the above direction, the Criminal Original Petition stands allowed.

25.05.2023

NCC:Yes/No

Index:Yes/No

Speaking / Non speaking order

gns

3/4



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CrI.O.P.(MD)No.9386 of 2023

P.VADAMALAI, J.

gns

To

- 1.The Special Judge for SC/ST (Prevention of Atrocities) Act, Principal District and Sessions Judge (PCR Unit), Viruthunagar at Srivilliputhur
- 2.The Deputy Superintendent Of Police,
Virudhunagar, Viruthunagar District.
- 3.The Inspector of Police,
Viruthunagar East Police Station,
Viruthunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

CrI.O.P.(MD) No.9386 of 2023

25.05.2023