



CrI.O.P.(MD)No.7110 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.05.2024

CORAM

THE HONOURABLE MR. JUSTICE **P.VADAMALAI**

CrI.O.P.(MD)No.7110 of 2024

1.Sonairaja
2.Sagathevan

...Petitioners

Vs.

1.The Deputy Superintendent of Police,
Uthamapalayam Sub Division,
Theni District.

2.The State represented by
The Inspector of Police,
Odaipatti Police Station,
Theni District.

3.Karuppaiah

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Special Sessions Judge, Special Court for SC/ST (POA) Act Cases, Theni to disposed the bail application of the petitioners on merits on the same day of their surrender before the above concerned Court pending investigation of Cr.No.72 of 2024 on the file of the second respondent police station.



Crl.O.P.(MD)No.7110 of 2024

For Petitioners : Mr.A.Prabu
For R1 and R2 : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

ORDER

This petition has been filed seeking for a direction to the learned Special Sessions Judge, Special Court for SC/ST (POA) Act Cases, Theni, to consider and dispose of the petitioners' bail applications on the same day of their surrender in respect of Crime No.72 of 2024 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 learned Special Sessions Judge, Special Court for SC/ST (POA) Act Cases, Theni, to consider the petitioners' bail applications, preferably on the same day of their surrender in connection with Crime No.72 of 2024 on the file of the second respondent and pass appropriate



CrI.O.P.(MD)No.7110 of 2024

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.

15.05.2024

NCC : Yes/No
Index : Yes/No

cmr



Crl.O.P.(MD)No.7110 of 2024

WEB COPY To

- 1.The Special Sessions Judge, Special Court for SC/ST (POA) Act Cases, Theni.
- 2.The Deputy Superintendent of Police, Uthamapalayam Sub Division, Theni District.
- 3.The Inspector of Police, Odaipatti Police Station, Theni District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court.



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Crl.O.P.(MD)No.7110 of 2024

P.VADAMALAI, J.

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Crl.O.P.(MD)No.7110 of 2024

15.05.2024