



Crl.O.P(MD).No.7978 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.05.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD).No.7978 of 2024

Selvaraj

...Petitioner / 4th accused

Vs.

1.The Deputy Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

3.Durairaj

...Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the learned Special Judge for SC/ST Cases, Sivagangai to
consider the bail application to be filed by the petitioner on the same day
of his surrender in Cr.No.190 of 2024 on the file of the 2nd respondent
Police.

For Petitioner : Mr.V.S.Kumaraguru

For respondents 1 & 2 : Mr.R.Shivakumar
Government Advocate (Crl. Side)



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ORDER

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This petition has been filed seeking for a direction to the learned Special Judge for SC/ST Cases, Sivagangai to consider the bail application to be filed by the petitioner on the same day of his surrender in Cr.No.190 of 2024 on the file of the 2nd 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 the learned Special Judge for SC/ST Cases, Sivagangai to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.190 of 2024 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.



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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 favourably.

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

29.05.2024

Index : Yes / No
Internet : Yes/ No
trp

To

1. The learned Special Judge for SC/ST Cases, Sivagangai.
- 2.The Deputy Superintendent of Police,



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Sivagangai District.

3.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

L.VICTORIA GOWRI, J.,

trp



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