



Crl.O.P.(MD)No.19138 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19138 of 2024

1. Kanmagamuneshwaran @ Mandaiyan Munish
 2. Vetrivel @ vetri
 3. Manikandan @ Kulamani
- .. Petitioners

Vs.

1. The Deputy Superintendent of Police
Aruppukottai
Virudhunagar District
2. The Inspector of Police
Virudhunagar West Police Station
Virudhunagar District
(Crime No.206 of 2024)

3. Priyadarshan
- : Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Special Judge for SC/ST(POA) Cases, Srivilliputhur, Virudhunagar District to consider the bail Application of the petitioners concerned in Cr.No.206/2024 on the file of the Inspector of Police, Virudhunagar Police Station/second respondent herein and pass orders in accordance with law on the same day on their surrender if any petition filed by the petitioners.



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For Petitioners : Mr.G.Aravinthan
for M/s.Aran Legal Consultancy
For Respondents : Mr.K.Sanjai Gandhi
No.1& 2 Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the learned Special Judge for SC/ST(POA) Cases, Srivilliputhur, Virudhunagar District to consider the bail application of the petitioners concerned in Cr.No.206 of 2024 on the file of the Inspector of Police, Virudhunagar Police Station/second respondent herein and pass orders in accordance with law on the same day on their surrender if any petition filed by the petitioners.

2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate(Crl.Side) appearing for the respondents 1 and 2 and perused the materials available on record.

3. 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 Judge for SC/ST(POA) Cases, Srivilliputhur,



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Virudhunagar District, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.206 of 2024 on the file of the second respondent police 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.

4. 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.

5. With the above direction, this Criminal Original Petition stands allowed.

07.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 08.11.2024



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To

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1. The Special Judge for SC/ST(POA) Cases,
Srivilliputhur, Virudhunagar District
2. The Deputy Superintendent of Police
Aruppukottai
Virudhunagar District
3. The Inspector of Police
Virudhunagar West Police Station
Virudhunagar District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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