



Crl.O.P.(MD)No.19167 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.19167 of 2024

1. Karuppasamy
2. Thirukannan

.. Petitioners

Vs.

1. The Deputy Superintendent of Police
Virudhunagar Police Division
Virudhunagar District
2. The Inspector of Police
M.Reddipatti Police Station
Virudhunagar District
(Crime No.128 of 2024)

3. Abimannan

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Special Court for (SC/ST (POA) Act Cases, Srivilliputhur to consider the bail application to be filed by the petitioners on the same day on their surrender in connection with Crime no.128 of 2024 on the file of the second respondent.

For Petitioners	: Mr.V.Vijayendiran
For Respondents	: Mr.K.Sanjai Gandhi
No.1& 2	Government Advocate(Crl.Side)



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ORDER

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This Criminal Original Petition has been filed to direct the Special Court for (SC/ST (POA) Act Cases, Srivilliputhur to consider the bail application to be filed by the petitioners on the same day on their surrender in connection with Crime no.128 of 2024 on the file of the second respondent.

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 Special Court for (SC/ST (POA) Act Cases, Srivilliputhur , to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.128 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



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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

1. The Special Court for (SC/ST (POA) Act Cases, Srivilliputhur
2. The Deputy Superintendent of Police
Virudhunagar Police Division
Virudhunagar District
3. The Inspector of Police
M.Reddipatti 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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