



Crl.O.P.(MD)No.19289 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19289 of 2024

1. Vigneshwaran
2. Ganesan .. Petitioners

Vs.

1. The State of Tamilnadu
Rep. by the Deputy Superintendent of Police,
Kamuthi Division, Ramanathapuram District.

2. The Inspector of Police
Mandala Manickam Police Station,
Ramanathapuram District.
Crime No. 63/2024.

3. Moovesh Kumar .. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Special Court for the Exclusive Trial of SC/ST Cases Ramanathapuram to consider the bail application on the surrender of the petitioners in connection with the case in Crime No. 63 of 2024 pending investigation on the file of the second respondent police on merits on the same day.

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



Crl.O.P.(MD)No.19289 of 2024

ORDER

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This Criminal Original Petition has been filed to direct the Special Court for the Exclusive Trial of SC/ST Cases Ramanathapuram to consider the bail application on the surrender of the petitioners in connection with the case in Crime No. 63 of 2024 pending investigation on the file of the second respondent police on merits on the same day.

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 the Exclusive Trial of SC/ST Cases Ramanathapuram, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.63 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



Crl.O.P.(MD)No.19289 of 2024

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.

11.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
LS

Note: Issue order copy on 12.11.2024

To

- 1.The Special Court for the Exclusive Trial of SC/ST Cases
Ramanathapuram
2. The Deputy Superintendent of Police,
Kamuthi Division,
Ramanathapuram District.



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Crl.O.P.(MD)No.19289 of 2024

M.NIRMAL KUMAR,J.

LS

3. The Inspector of Police
Mandala Manickam Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.19289 of 2024

11.11.2024