

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No.23686 of 2017

S.Mahendar Kuma Nahar

..Petitioner

Vs

1.The Deputy Superintendent of Police,
Periyanaickenpalyam Police Sub Division,
Old Police Building Campus,
Coimbatore-641 020,
Coimbatore District.

2.The Inspector of Police,
Karamadai Police Station
Karamadai - 641 104
Coimbatore District.
(Crime No. 317 of 2017)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Judge under the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act 1985, Coimbatore to consider the application of the petitioner for bail on the same day and pass orders concerned in Crime No.317 of 2017 on the file of the Inspector of Police, Karamadai Police Station, Coimbatore District, the second respondent herein pending investigation by the first respondent.

For Petitioner : M/s. A.V.Arun

For Respondents: Mr.C.Iyyapparaj, APP

O R D E R

This petition is filed for a direction to the Special Judge, Special Court for SC/ST Act Cases, Coimbatore, to consider the petitioner's bail petition on the same day of his surrender in connection with Crime No.317 of 2017, since the offences are pertaining to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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 of the possibility

of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the Special Judge, Special Court for SC/ST Act Cases, Coimbatore, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Cr.No. 317 of 2017 and pass appropriate orders in accordance with law after affording due opportunity to the victim.

3. In view of the above, the Criminal Original Petition stands allowed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

nmm/ak

To

1. The Special Judge,
Special Court for SC/ST Act Cases,
Coimbatore.
- 2.The Deputy Superintendent of Police,
Periyanaickenpalyam Police Sub Division,
Old Police Building Campus,
Coimbatore-641 020,
Coimbatore District.
- 3.The Inspector of Police,
Karamadai Police Station
Karamadai - 641 104
Coimbatore District.
4. The Additional Public Prosecutor,
High Court, Madras.

+lcc to M/s. A.V.Arun, Advocate in sr.no.78432

CRL.O.P.No.23686 of 2017

SJ(CO)
NR 08/11/2017