



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P(MD)No.8029 of 2018

1.Dhanapal  
2.Puvaneshwaran  
3.Lakshmanan  
4.Kathirvel

.. Petitioners/Accused Nos.1 to 4

Vs.

1.The Deputy Superintendent of Police,  
Manamadurai Sub division,  
Manamadurai,  
Sivagangai District.

2.The Inspector of Police,  
Sipcot Police Station,  
Sivagangai District.  
(Crime No.48/2018)

.. Respondents 1 and 2 /Complainant

3.S.Balamurugan

.. 3<sup>rd</sup> Respondent/de facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai to consider and dispose of the bail application of the petitioners in Crime No.48 of 2018 on the file of the second respondent on the same day of their surrender before the said Court.

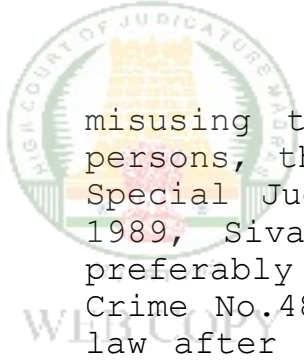
For Petitioners : Mr.R.Ilayaraja

For R1 and R2 : Mr.A.P.G.Ohm Chairma Prabhu,  
Government Advocate (Criminal Side).

#### ORDER

This petition is filed for a direction to the learned Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, to consider and dispose of the bail application of the petitioners in Crime No.48 of 2018 on the file of the second respondent, 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 learned Sessions Judge, Special Judge of Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.48 of 2018 and pass appropriate orders in accordance with law after affording due opportunity to the victim. The petitioners shall surrender before the concerned jurisdictional Court within a period of fifteen days from the date of receipt of a copy of this order.

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

Sd/-

Vacation Officer.

/True Copy/

Sub Assistant Registrar

To

- 1.The Sessions Court,  
Special Judge of Exclusive Trial of Cases  
under SC/ST (POA) Act, 1989, Sivagangai
- 2.The Deputy Superintendent of Police,  
Manamadurai Sub division,  
Manamadurai,  
Sivagangai District.
- 2.The Inspector of Police,  
Sipcot Police Station,  
Sivagangai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1CC to Mr.R.Ilayaraja, Advocate, SR.No. 65840

Cr1.O.P (MD) No.8029 of 2018  
16.05.2018

sm/ps/pnn  
AM/JC/SAR 3/23.05.2018/2P/5C