

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.02.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
CRL.O.P.No.2933 of 2019

1. Jayaprakash @ Prakash
2. Selvaraj
3. Ganesan
4. Perumal
5. Kasi
6. Baskar
7. Elangovan

... Petitioners

Vs

State represented by
The Inspector of Police,
Kammapuram Police Station,
Cuddalore District.
(Crime No.13 of 2019)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District Sessions Judge cum Special Judge for SC/St Act Cases, Cuddalore to consider the bail application filed by the petitioners in connection with Crime No.13 of 2019 on the file of the Inspector of Police, Kammapuram Police Station, Cuddalore District on their surrender on the same day on the sympathetic ground.

For Petitioners: Mr.S.Vijayakumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This petition is filed for a direction to the Principal District Sessions Judge cum Special Judge for SC/ST Act Cases, Cuddalore, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.13 of 2019, 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 Principal District Sessions Judge cum Special Judge for SC/ST Act Cases,

Cuddalore, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.13 of 2019 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.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

lpp/jas

To

1. The Principal District Sessions Judge cum Special Judge for SC/ST Act Cases, Cuddalore.
2. The Inspector of Police, Kammapuram Police Station, Cuddalore District.
3. The Public Prosecutor, High Court, Madras.

+2ccs to Mr.S.Vijayakumar, Advocate, S.R.No.9879 & 10574

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rrs 08/02/2019

सत्यमेव जयते

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