

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.3337 of 2019

1.Ramachandran
2.Sivanathan

... Petitioner/
Accused (A1 & A2)

Vs

1. State by
Inspector of Police,
Mecheri Police Station,
Salem District.
(Crime No.56 of 2019)

2. The Deputy Superintendent of Police,
Mettur Police Division,
Mettur Dam, Salem District.

...Complainant/Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned District & Sessions Judge (Special Court under SC & ST Atrocities Act) at Salem, Salem District to accept the surrender of the petitioner herein concerned in Crime No.56 of 2019 on the file of the Inspector of Police, Mecheri Police Station, Salem District and consider their bail petition on the same day itself.

For Petitioners : Mr.M.R.Jothimanian

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

ORDER

This petition is filed for a direction to the District & Sessions Judge, Salem, to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.56 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 District & Sessions Judge, Salem, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 56 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(CS V)

//True Copy//

Sub Assistant Registrar

lpp/jas

To

1. The District and Sessions Judge,
(Special Court for SC/ST Act)
Salem District.
2. The Inspector of Police,
Mecheri Police Station,
Salem District.
3. The Deputy Superintendent of Police,
Mettur Police Division,
Mettur Dam, Salem District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.R.Jothimanian, Advocate, S.R.No.

CRL.O.P.No.3337 of 2019

PM(CO)
CS/08/02/2019