

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 5399 of 2018

Balaji @ Premnath

... Petitioner/Accused

Vs.

State,

Rep. by the Inspector of Police,
Kondalampatti Police Station,
Salem District.

Cr.No.101 of 2019

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court / Principal Sessions Court, Salem to consider the petitioner's bail petition on the same day on their surrender before the court in connection with the case in Crime No.101 of 2019 on the file of the respondent police.

For Petitioner : Mr.T.N.Rangesh Kanna

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

O R D E R

This petition is filed for a direction to the Special Court / Principal Sessions Court, Salem to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.101 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 learned Special Court / Principal Sessions Court, Salem to consider the

petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.101 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

vsn/lpp

To

1.The Special Court / Principal Sessions Court, Salem

2. The Public Prosecutor, High Court, Madras.

3. The Inspector of Police, Kondalampatti Police Station, Salem.

+1cc to Mr.T.N.Rangesh Kanna, Advocate SR.No.19277

Crl.O.P.No.5399 of 2019

VBA (CO)

GMV (05/03/2019)

सत्यमेव जयते

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