

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No. 5955 of 2019

Raja @ Saravanan

... Petitioner/Accused

Vs

The State rep by its
The Inspector of Police,
Tholasampatty Police Station,
Salem District.
(Crime No. 41 of 2019)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to pass an order of direction, to direct the District & Sessions Court, Salem (Special Judge for SC & ST Act) to consider the petitioner's surrender and pass appropriate orders on the bail application file by the petitioner on the same day itself in connection with the Crime No.41 of 2019 on the file of Tholsampatty Police Station, Salem District.

For Petitioner : Mr.T.Ganesan

For Respondent : Mr.C.Raghavan
Government Advocate (Criminal Side)

सत्यमेव जयते
O R D E R

This petition is filed for a direction to the District & Sessions Court, Salem (Special Judge for SC & ST Act), to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.41 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 Court, Salem (Special Judge for SC & ST Act), to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.41 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-VIII)

//True copy//

Sub Assistant Registrar

ssr/kas

To

1. The District & Sessions Court,
Salem (Special Judge for SC & ST Act).
2. The Inspector of Police,
Tholasampatty Police Station,
Salem District.

Copy To : The Public Prosecutor, High Court, Madras.

+1cc to Mr.T.Ganesan, Advocate SR.No.20657

सत्यमेव जयते

Cr1.O.P.No. 5955 of 2019

GMV (08/03/2019)

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