

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.7854 of 2019

1.Gopinathan  
2.Selvarasu

... Petitioners/Accused

Vs.

The State rep by  
Inspector of Police,  
Thirupapuliur Police Station,  
Cuddalore District.  
Crime No.119 of 2019

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the learned Principal District and Sessions Judge, Cuddalore to accept the surrender of the petitioners in Crime No.119 of 2019 on the file of the respondent and to consider and pass orders on the bail application to be preferred by the petitioner on the same day itself.

For Petitioners: Mr.Bharath Kumar

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

O R D E R

This petition is filed for a direction to the Principle District and Sessions Judge, Cuddalore to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.119 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 Principle District and Sessions Judge, Cuddalore to consider the

petitioners' bail application, preferably on the same day of their surrender in connection with Crime No. 119 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.

mpa/kas

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal District and Sessions Judge,  
Cuddalore.
- 2.The Inspector of Police,  
Thiruppapuliur Police Station,  
Cuddalore District.
- 3.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.R.Mr.Bharath Kumar, Advocate, SR.No. 28474

(Dated: 01.04.2019)

CRL.O.P.No.7854 of 2019

Rsv (CO)  
Kak (25/03/2019)

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