

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.03.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.8331 of 2019

1.Mahalingam

2.Ramesh

... Petitioners

Vs

State rep by

The Sub Inspector of Police,
Vellore Taluk Police Station,
Vellore.

(Crime No.80 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Judicial Magistrate-I, Vellore (Special Court Designed under Schedule Caste/Schedule Tribes Prevention of Atrocities Amendment Act) to accept the surrender of the petitioners and consequently consider their bail application on merits on the same day in Cr.No.80 of 2019 on the file of the respondent.

For Petitioners: Mr.M.R.Thangavel

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

O R D E R

This petition is filed for a direction to the learned Judicial Magistrate No.I, Vellore to consider the petitioners' bail petition on the same day of their surrender in connection with Crime No.80 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 Judicial Magistrate No.I, Vellore to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.80 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 II)

//True Copy//

Sub Assistant Registrar

mpa/vsn

To

- 1.The Judicial Magistrate-I, Vellore.
(Special Court Designated under SC/ST Prevention of Atrocities Amendment Act).
2. The Sub Inspector of Police,
Vellore Taluk Police Station,
Vellore.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.C.Anbu, Advocate, S.R.No.29394

CRL.O.P.No.8331 of 2019

AD(CO)

RRS (29/03/2019)

सत्यमेव जयते
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