

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.8859 of 2019

1. Thangadurai
2. Balamurugan
3. Boomalai
4. Manikandan
5. Chandrasekar
6. Elavarasu@ Elavarasan
7. Anandhbabu
8. Elaiyaraja Petitioners/A1 to A8

Vs

State by
Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.48 of 2019) Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Perambalur, Perambalur District to accept the surrender of the petitioners herein concerned in Crime No.48 of 2019 on the file of Inspector of Police, Kunnam Police Station, Perambalur, Perambalur District and consider the bail petition on the same day itself.

For Petitioner : Mr.K.Balu

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

ORDER

This petition is filed for a direction to the Special Court/Principal District and Sessions Court, Perambalur, to consider the petitioners bail petition on the same day of their surrender in connection with Crime No.48 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 Special Court/Principal Sessions Court, Perambalur District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.48 of 2019 and pass appropriate orders in accordance with law after affording due opportunity to the victims 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)

//True Copy//

Sub Assistant Registrar

rm

To

1. The Principal District and Sessions Judge,
(Special Court under SC & ST Atrocities Act)
Perambalur.
2. The Inspector of Police,
Kunnam Police Station,
Perambalur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Balu , Advocate SR.No. 32072

A.SK(04/04/2019)

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