

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9418 of 2019

1.Lakshmi
2.Chellam
3.Dharmaraj

... Petitioners

Vs

State rep. By,
The Inspector of Police,
Kunnam Police Station,
Kunnam,
Perambalur District.
Crime No.67 of 2019

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction, directing the District and Sessions Court (PCR Court) Perambalur to consider the petitioners bail petition in Crime No.67 of 2019 on the file of the respondent herein for the offences under Sections 294(b), 324, 447 & 506(i) of IPC r/w. Sections 3(1)(s) & 3(2)(va), of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act 2015.

For Petitioners : Mr.P.Mani

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

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to issue a direction, directing the District and Sessions Court (PCR Court) Perambalur to consider the petitioners bail petition in Crime No.67 of 2019 on the file of the respondent herein for the offences under Sections 294(b), 324, 447 & 506(i) of IPC r/w. Sections 3(1)(s) & 3(2)(va), of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act 2015.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent.

3.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/District and Sessions Court (PCR Court) Perambalur, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.67 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.

4.Accordingly, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

rna

To

1.The District and Sessions Court,
Perambalur.

2.The Inspector of Police,
Kunnam Police Station,
Perambalur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Mani, Advocate SR.No.34185

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MP(CO)
GMY(26/04/2019)