

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.9818 of 2019

Barkathulla

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Chengam Sub-Division,
Chengam,
Tiruvannamalai District.

2.The Sub-Inspector of Police,
Chengam Police Station,
Chengam,
Tiruvannamalai District.
(Crime No.893 of 2008)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal Sessions Judge, Tiruvannamalai to consider the bail application, if filed and dispose the same on the same day of the surrender of the petitioner in relation to Crime No.176 of 2019 on the file of the 2nd respondent.

For Petitioner : Mr.Kothandaram P.S.

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

O R D E R

This petition is filed for a direction to the Special Court/Principal Sessions Court, Tiruvannamalai, to consider the petitioners' bail petition on the same day of his surrender in connection with Crime No.176 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, Tiruvannamalai, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.176 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 petitioner 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

//True Copy//

Sub Assistant Registrar

rm

To

1. The Principal Sessions Judge,
Tiruvannamalai.
2. The Public Prosecutor,
High Court, Madras.
3. The Deputy Superintendent of Police,
Chengam Sub Division, Chengam,
Chengam, Tiruvannamalai District.
4. The Sub Inspector of Police,
Chengam Police Station,
Chengam, Tiruvannamalai District.

+1cc to Mr.P.S.Kothandaraman, Advocate, S.R.No. 35731

CRL.O.P.No. 9818 of 2019

MP(CO)
GN(15/04/2019)