

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10360 of 2019

1.Velraj
2.K.Subramanian
3.Kannan Murali

... Petitioners

Vs

1.The Assistant Commissioner of Police,
O/o.Assistant Commissioner of Police,
Airport, Minambakkam,
Chennai 600 016.

2.The Inspector of Police,
S2-Police Station,
Airport, Minambakkam,
Chennai 600 016.
(Crime No.38 of 2019)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to issue a direction, directing the learned Principal Sessions and District Judge, Chengalpattu (Special Court for SC/ST Prevention of Atrocities Act) to accept the surrender of the petitioner herein concerned in Crime No.38 of 2019 on the file of the respondent police and consider the bail application on the same day itself.

For Petitioners : Mr.R.Thirumoorthy

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

O R D E R

This Criminal Original Petition has been filed to issue a direction, directing the learned Principal Sessions and District Judge, Chengalpattu (Special Court for SC/ST Prevention of Atrocities Act) to accept the surrender of the petitioner herein concerned in Crime No.38 of 2019 on the file of the respondent police and consider the bail application on the same day itself.

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

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 Principal Session and District Judge, Chengalpattu (Special Court for SC/ST Prevention of Atrocities Act) to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.38 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 (CS III)

//True Copy//

Sub Assistant Registrar

rna

To

1. The Principal Session and District Judge,
Chengalpattu.
(Special Court for SC/ST Prevention of Atrocities Act)
2. The Assistant Commissioner of Police,
O/o. Assistant Commissioner of Police,
Airport, Minambakkam,
Chennai 600 016.
3. The Inspector of Police,
S2-Police Station,
Airport, Minambakkam,
Chennai 600 016.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Thirumoorthi, Advocate, S.R.No.37574

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RRS (23/04/2019)