

HIN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.11427 of 2019

Mathesh @ Matheswaran

... Petitioner

Versus

State rep by
The Inspector of Police,
Thalainayiru Police Station,
Thalainayiru,
Nagapattinam District.
(Crime No.44 of 2018)

.... Respondent

Prayer:- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District Sessions Judge, Nagapattinam, to accept the surrender of the petitioner and consider the bail petition filed by the petitioner in respect of the Crime No.44 of 2018 on the file of the respondent police.

For Petitioner : Mr.K.M.Subramaniam

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

O R D E R

This petition is filed for a direction to the learned Principal District Sessions Judge, Nagapattinam, to consider the petitioner's bail petition on the same day of their surrender in connection with Crime No.44 of 2018, 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 learned Principal District Sessions Judge, Nagapattinam, to consider the petitioner's bail application, preferably on the same day of their surrender in connection with Crime No.44 of 2018 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's 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

ssr

To

1. The Principal District Sessions Judge,
Nagapattinam.
2. The Inspector of Police,
Thalainayiru Police Station,
Thalainayiru,
Nagapattinam District.
3. The Public Prosecutor
High Court, Madras.

+1 cc to Mr.K.M.Subramaniam, Advocate, Sr.No. 40906

VSNII(CO)
CSL/30.04.2019

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