

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.11851 of 2019

V.Bairesh @ Byrappa

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Hosur Range, Hosur,
Krishnagiri District.

2.The Inspector of Police,
Bagalur Police Station,
Hosur Taluk,
Krishnagiri District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction, directing the Principal Sessions Judge, Krishnagiri to consider the bail application of the petitioner in the event of his surrender and grant the bail to the petitioner in Crime No.34 of 2019 dated 19.02.2019 on the file of the 2nd respondent police on the same day.

For Petitioners : Mr.G.M.Anantha Kumar

For Respondents : 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 Principal Sessions Judge, Krishnagiri to consider the bail application of the petitioner in the event of his surrender and grant the bail to the petitioner in Crime No.34 of 2019 dated 19.02.2019 on the file of the 2nd respondent police on the same day.

2.Heard the learned counsel for the petitioner 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 Sessions Judge, Krishnagiri, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.34 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

//True Copy//

Sub Assistant Registrar

rna

To

1. The learned Principal Sessions Judge,
Krishnagiri.

2. The Deputy Superintendent of Police,
Hosur Range, Hosur,
Krishnagiri District.

3. The Inspector of Police,
Bagalur Police Station,
Hosur Taluk,
Krishnagiri District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. G.M.Anandha Kumar, Advocate, SR.No.43137
(dated: 20.05.2019)

Cr1.O.P.No.11851 of 2019

Kak(30/04/2019)