

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.11863 of 2019

Arivazhagan

... Petitioner/Accused

Vs

State rep by

The Inspector of Police,
Devankudi Police Station,
Thiruvarur District.

(Crime No.18 of 2019)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction, directing the I Additional Sessions Judge, (PCR Court) at Thanjavur District to consider the bail application filed by the petitioner in connection with Crime No.18 of 2019 on the file of the Inspector of Police, Devenkudi Police Station, Thiruvarur District on his surrender on the same day on sympathetic ground.

For Petitioner : Mr.G.Nirmal Krishnan

For Respondent : 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 I Additional Sessions Judge, (PCR Court) at Thanjavur District to consider the bail application filed by the petitioner in connection with Crime No.18 of 2019 on the file of the Inspector of Police, Devenkudi Police Station, Thiruvarur District on his surrender on the same day on sympathetic ground.

2.Heard the learned counsel for the petitioner 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 I Additional

Sessions Judge, (PCR Court), Thanjavur District, to consider the petitioners' bail application, preferably on the same day of their surrender in connection with Crime No.18 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 learned I Additional Sessions Judge,
(PCR Court) Thanjavur District.
2. The Inspector of Police,
Devankudi Police Station,
Thiruvarur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Nirmalkrishnan, Advocate SR.No.41486

सत्यमेव जयते

Cr1.O.P.No.11863 of 2019

AK (CO)
GMY (30/04/2019)

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