

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cr1.O.P.No.27535 of 2019

- 1.Chinnasamy @ Guttur Chinnasamy
- 2.Ponnusamy
- 3.Pachiyappan
- 4.Ramanathan @ Rocket Ramanathan
- 5.Murugan @ Gunparty Murugan
- 6.Siva @ Medical Siva
- 7.Murugan @ MM Tailor
- 8.R.K.Chinnasamy
- 9.Ellappan
- 10.Krishnan @ Teakadai Krishnan
- 11.Sampath

...Petitioners

Vs

- 1.State represented by,
Additional Superintendent of Police,
Crime Branch CID, Villupuram Range,
I/C Crime Branch CID, Salem Range.
- 2.Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.
(Crime No.298 of 2012)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to directing the learned District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Dharmapuri, Dharmapuri District to accept the surrender of the petitioners herein concerned in S.C.NO.33 of 2019 on the file of District & Sessions Judge, (Special Court under SC & ST Atrocities Act) at Dharmapuri, Dharmapuri District and consider the bail petition on the same day itself.

For Petitioners: Mr.K.Balu

For Respondents: Mr.C.Iyyapparaj

Additional Public Prosecutor

O R D E R

This petition is filed for a direction to the learned District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Dharmapuri, Dharmapuri District, to accept

the surrender of the petitioners herein concerned in S.C.NO.33 of 2019 on the file of the District & Sessions Judge, (Special Court under SC & ST Atrocities Act) at Dharmapuri, Dharmapuri District and consider his bail petition on the same day itself, since the offence is 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 District and Sessions Judge, (Special Court under SC & ST Atrocities Act) at Dharmapuri, Dharmapuri District, to consider the petitioners' bail application, preferably on the same day of his surrender in connection with S.C.NO.33 of 2019 and pass appropriate orders in accordance with law, after affording due opportunity to the victim. The petitioners shall surrender before the concerned jurisdictional Court, within a period of fifteen days from the date of receipt of a copy of this order.

3. In view of the above, the Criminal Original Petition stands ordered.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

jas/hvk
To

1. The District and Sessions Judge,
(Special Court under SC & ST Atrocities Act)
Dharmapuri, Dharmapuri District.

2. The Additional Superintendent of Police,
Crime Branch CID, Villupuram Range,
I/C Crime Branch CID, Salem Range.

3. The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.

4. The Public Prosecutor,
High Court of Madras.

+1 CC to Mr.K.Balu, Advocate sr 86627.

Crl.O.P.No.27535 of 2019

MP(CO)
SP(07/11/2019)