

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cr1.O.P.No.26460 of 2019

1.P.Elumalai
2.E.Mahalakshmi
3.M.Thirunavukarasu

...Petitioners

Vs

1.The State,
Rep by its Assistant Commissioner of Police,
Salem West, Salem City.

2.The Inspector of Police,
All Women Police Station,
Sooramangalam, Salem District.
(Crime No.26 of 2019)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Court/Principal District Judge, Salem to consider the petitioners bail Petition on the same day on their surrender before the court in connection with the case in Crime No.26 of 2019 on the file of the second respondent police.

For Petitioners : Mr.A.M.Esakkiappan

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor

ORDER

This petition is filed for a direction to the Special Court/Principal District Judge, Salem to accept the surrender of the petitioners herein concerned in Crime No.26 of 2019 on the file of the Inspector of Police, All Women Police Station, Sooramangalam, Salem 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 Special Court/Principal District Judge, Salem, to consider the petitioners' bail application, preferably on the same day of his surrender in connection with Crime No.26 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.

Sd/-
Assistant Registrar (CJ Conf)

//True copy//

Sub Assistant Registrar

jas/hvk

To

1. The Principal District Judge,
Special Court, Salem.
2. The Assistant Commissioner of Police,
Salem West, Salem City.
3. The Inspector of Police,
All Women Police Station,
Sooramangalam, Salem District.

4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.A.M.Esakkiappan, Advocate SR.No.83792

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LN(CO)
GMY(01/11/2019)