



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.12303 of 2019

WEB COPY

1.Suresh

:1st Petitioner/Accused No.1

2.Chandrakumar

:2nd Petitioner/Accused Rank
not known

Vs

1. The Deputy Superintendent of Police,
Alangudi,
Pudukkottai District.

2. The State rep. by
The Inspector of Police,
Sampattividuthi Police Station,
Pudukkottai District
Crime No.64 of 2019

:Respondents 1 & 2/Complainants

3.Sivakumar

... 3rd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Principal District and Sessions Judge (PCR) Court Pudukkottai to accept the surrender of the petitioners and consider their bail application on the same date on merits relating to crime No.64 of 2019 dated 24.08.2019

For Petitioners : Mr.S.T.Sasidharan Tamilkani
For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Crl. Side) for RR1 and 2

O R D E R

This petition is filed for a direction to direct the Principal Sessions Court cum PCR Court, Pudukkottai (Special Court for SC/ST (PA) Act Cases) to consider the petitioners bail petition of the petitioners on the same day of surrender and dispose the same on the same date on merits and in accordance with law in crime No.64 of 2019 on the file of the 2nd respondent.

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 Principal Sessions Court cum PCR Court, Pudukkottai (Special Court for SC/ST (PA) Act Cases), to consider the petitioner's bail application, preferably on the

same day of his surrender in connection with Crime No. 64 of 2019 on the file of the 2nd respondent 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.

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

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Deputy Superintendent of Police,
Alangudi,
Pudukkottai District.

2.The Inspector of Police,
Sampathuviduthi Police Station,
Pudukkottai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Principal District and Sessions Judge,
PCR Court, Pudukkottai.

+1 CC to Mr.S. T. SASIDHARANTAMILKANI, Advocate SR-85092.

Order made in
CRL.O.P (MD) No.12303 of 2019
04.09.2019

CS(09.09.2019) 2P 6C