



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.12441 of 2019

1. Alwin
2. Selvin Alias Selvin Raja
3. Jebarson

... Petitioners/ Accused No.1 to 3

Vs

- 1.The Deputy Superintendent of Police,
Nanguneri Sub Division,
Tirunelveli District.

... Respondent/ Complainant

- 2.The Inspector of Police
Thirukurunkudi Police Station,
Tirunelveli District,
Crime No.106/2019

3. Jothi Basu

... Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the IInd Additional District and Sessions Court (PCR) Tirunelveli to consider the bail application of the Petitioners on the same day to surrender on merits in Crime No.106/2019 on the file of the 2nd respondent police.

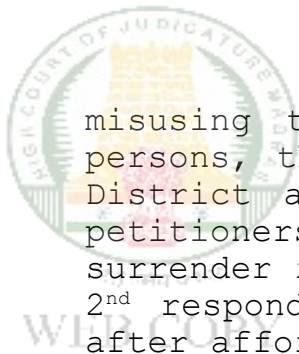
For Petitioners : Mr.S.Sundarapandian

For R1 and R2 : Mr.K.Suyambulinga Bharathi,
Government Advocate(crl.side)

ORDER

This petition has been filed for a direction to direct the IInd Additional District and Sessions Court (PCR) Tirunelveli, 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.106 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 learned IInd Additional District and Sessions Judge, (PCR), Tirunelveli, to consider the petitioners bail application, preferably on the same day of their surrender in connection with Crime No.106 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

// True Copy //

Sub Assistant Registrar

To

- 1.The IInd Additional District and Sessions Court (PCR),
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Nanguneri Sub Division,
Tirunelveli District.
- 3.The Inspector of Police
Thirukurunkudi Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.SUNDARAPANDIAN, Advocate (SR-85478[F] dated
06/09/2019)

Order made in
CRL.O.P (MD) No.12441 of 2019
06.09.2019

LS

MS/13.09.2019/2P.6C