



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.12539 of 2019

Sethupathi

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Oomachikulam Division
Madurai District

2.The Inspector of Police
Othakadai Police Station
Madurai District
(Crime No.357/2019)

... Respondents/Complainants

3.Shanmugavel

... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the III Additional District and Sessions Judge(Special Court for PCR Cases, Madurai) to consider the bail application on the same day of his surrender in respect of Crime No. 357 of 2019 on the file of the second respondent.

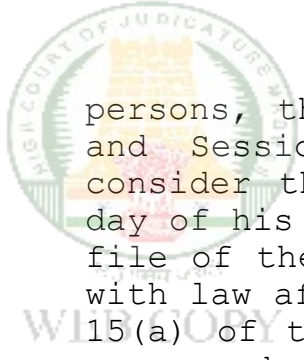
For Petitioner : Mr.D.Venkatesh

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 learned III Additional District and Sessions Judge(Special Court for PCR Cases, Madurai) to consider the petitioner's bail petition on the same day of surrender and dispose the same on the same date on merits and in accordance with law in crime No.357 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 III Additional District and Sessions Judge(Special Court for PCR Cases, Madurai), to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 357 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 petitioner 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 (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Deputy Superintendent of Police,
Oomachikulam Division
Madurai District

2.The Inspector of Police
Othakadai Police Station
Madurai District

Copy to:

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

Order made in
CRL.O.P (MD) No.12539 of 2019
09.09.2019

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JMN(10.09.2019)2P : 4C