



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.12544 of 2019

1.Mathew Jackson Edward

2. Reetarebeka

... Petitioners/Accused 1 & 2

Vs

1.The State rep. by its

The Inspector of Police

Tirunelveli Medical College Hospital Police Station

Tirunelveli City

Tirunelveli District

2. The Assistant Commissioner of Police (L&O)

Palayamkottai

Tirunelveli city

... Respondents/Complainants

3.M.Iswarya

... Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Additional District and Sessions Court (PCR Court) Tirunelveli to consider the bail application on the same day on merits which would be filed by the petitioners in Crime No. 67 of 2019 on the file of the first respondent.

For Petitioners : Mr.S.P.Maharajan

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 II Additional District and Sessions Court (PCR Court) 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.67 of 2019 on the file of the 1st 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 II Additional District and Sessions Court (PCR Court) Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 67 of 2019 on the file of the 1st 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(CS)

To

- 1.The II Additional District and Sessions Court (PCR Court)
Tirunelveli
2. The Inspector of Police
Tirunelveli Medical College Hospital Police Station
Tirunelveli City
Tirunelveli District
3. The Assistant Commissioner of Police (L&O)
Palayamkottai
Tirunelveli city
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.S.P.MAHARAJAN, Advocate (SR-85894[F] dated 09/09/2019)

Order made in
CRL.O.P (MD) No.12544 of 2019
09.09.2019

aav

JMN(10.09.2019) 2P : 7C

<https://hcservices.ecourts.gov.in/hcservices/>