



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT
DATED: 18.09.2019
CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.12983 of 2019

P.Kannammal

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Thalaiyuthu (incharge Cheranmahadevi)
Tirunelveli District

2.The Inspector of Police
Munneerpalam Police Station
Tirunelveli District
(Crime No. 352 of 2017)

... Respondents 1 & 2/Complainant

3.T.Muthuraman

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned II Additional District and Sessions Judge cum PCR Court, Tirunelveli, to accept the surrender and consider the bail application of the petitioner on the same day in accordance with law in Crime No. 352 of 2017 on the file of the respondent police.

For Petitioner : Mr.A.Alexander

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 II Additional District and Sessions Judge cum PCR Court, Tirunelveli 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.352 of 2017 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 II Additional District and Sessions Judge cum PCR Court, Tirunelveli, to consider

the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 352 of 2017 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(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1. II Additional District and Sessions Judge cum PCR Court,
Tirunelveli

2. The Deputy Superintendent of Police,
Thalaiyuthu (incharge Cheranmahadevi)
Tirunelveli District

3. The Inspector of Police
Munneerpalam Police Station
Tirunelveli District

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

+1 CC to M/s.A.ALEXANDER, Advocate (SR-15664[I] dated 18/09/2019)

Order made in
CRL.O.P (MD) No.12983 of 2019
18.09.2019

aav

JM/19.09.2019/2P/6C