



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 17.09.2019

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WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.12894 of 2019

1. Ayyappan
2. Ayyappan ... Petitioners/Accused

Vs

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

2.The Inspector of Police
Kalakkad Police Station
Tirunelveli District
(Cr.No.392/19)

... Respondents 1 &2 /
Complainant

3.Chidambaram ... 3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the II Additional District and Sessions Judge (Spl. Court for PCR Cases), Tirunelveli to consider his bail application on the same day of his surrender in respect of Cr.No.392 of 2019 on the file of the 2nd respondent, pending investigation.

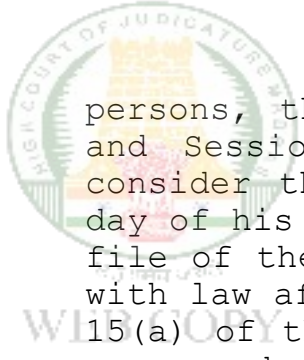
For Petitioners : Mr.P.Chellapandian

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 Judge (Spl. Court for PCR Cases), 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.392 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 malicious intention of the Parliament against innocent



persons, there shall be a direction to the II Additional District and Sessions Judge (Spl. Court for PCR Cases), Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 392 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 (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The II Additional District and Sessions Judge
(Spl. Court for PCR Cases), Tirunelveli
- 2.The Deputy Superintendent of Police,
Nanguneri Division
Tirunelveli District
- 3.The Inspector of Police
Kalakkad Police Station
Tirunelveli District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.VENKATESH, Advocate (SR-87628[F] dated 19/09/2019)

Order made in
CRL.O.P (MD) No.12894 of 2019
17.09.2019

aav

JMN(19.09.2019) 2P : 6C