



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 18.09.2019**

**CORAM**

**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

WEB COPY

**CRL.O.P (MD) No.12979 of 2019**

Duraikkannu

... Petitioner/Accused No.2

Vs

1.The Inspector of Police  
Thirugokarnam Police Station  
Pudukottai District  
In Crime No.182/19

2.The Deputy Superintendent of Police  
Pudukottai District  
Pudukottai

... 1st & 2nd Respondents/Complainant

3.Ramesh

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal District and Sessions Judge, Pudukkottai, Pudukkottai District, Under the SC/ST (POA) Amendment Act 2015, to accept the Surrender of the Petitioner and Consider the bail Application on merits

For Petitioner : Mr.S.Muthalraj  
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 Principal District and Sessions Judge, Pudukkottai, Pudukkottai District, Under the SC/ST (POA) Amendment Act 2015 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.182 of 2019 on the file of the 1<sup>st</sup> 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 Principal District and Sessions Judge, Pudukkottai, Pudukkottai District, Under the SC/ST (POA) Amendment Act 2015, to consider the petitioner's bail application, preferably on the same day of his

surrender in connection with Crime No. 1827 of 2019 on the file of the 1<sup>st</sup> 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.The Principal District and Sessions Judge, Pudukkottai,  
Pudukkottai District

2. The Inspector of Police  
Thirugokarnam Police Station  
Pudukkottai District

3.The Deputy Superintendent of Police  
Pudukkottai District  
Pudukkottai

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

+1 CC to M/s.NA.PALANIYANDI, Advocate ( SR-87392[F] dated 18/09/2019  
)

Order made in

**CRL.O.P (MD) No.12979 of 2019**

**18.09.2019**

**aav**

JM/19.09.2019/2P/6C