



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

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.13009 of 2019

Selvamari ... Petitioner/Sole Accused
Vs

1.The Deputy Superintendent of Police,
Aruppukottai
Viruthunagar District. ... Respondents 1 & 2/Complainant

2.The Inspector of Police
Kariapatti Police Station
Viruthunagar District
(Crime No.292 of 2019)

3.Moorthy ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Special Judge for SC/ST (Prevention of Atrocities) Act (PCR Court), Virudhunagar District at Srivilliputtur to consider the bail application of the petitioner on the same day of his surrender in Crime No.292 of 2019 on the file of the respondent police.

For Petitioner : Mr.R.Ponkarthikeyan

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 Special Judge for SC/ST (Prevention of Atrocities) Act (PCR Court), Virudhunagar District at Srivilliputtur 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.292 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 Special Judge for SC/ST (Prevention of Atrocities) Act (PCR Court), Virudhunagar District at Srivilliputtur, to consider the petitioner's bail application,

preferably on the same day of his surrender in connection with Crime No.292 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(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Special Judge for SC/ST (Prevention of Atrocities) Act
(PCR Court), Virudhunagar District at Srivilliputtur

2.The Deputy Superintendent of Police,
Aruppukottai
Viruthunagar District

3.The Inspector of Police
Kariapatti Police Station
Viruthunagar District

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

+1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-87496[F] dated
18/09/2019)

Order made in
CRL.O.P (MD) No.13009 of 2019
18.09.2019

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JM/19.09.2019/2P/6C