



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2019

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.13095 of 2019

Durai @ Lingadurai ... Petitioner/Sole Accused

Vs

1.The Deputy Superintendent of Police,
Kamuthi, Ramanathapuram District

2.The Inspector of Police,
Perunazhi Police Station,
Perunazhi,
Ramanathapuram District.

... 1 & 2 Respondents/Complainant

3.Kannusamy ...3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Special Court (PCR Cases), Ramanathapuram with to accept the surrender of the petitioner and dispose of the bail petition filed by the Petitioner on the same day in connection with Crime No. 70 of 2019.

For Petitioner : Mr.A.Arputharaj

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 (PCR Cases), Ramanathapuram 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.70 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 learned Special Judge (PCR Cases), Ramanathapuram to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 70 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.

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3. In view of the above, the Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Special Judge (PCR Cases), Ramanathapuram

2.The Deputy Superintendent of Police,
Kamuthi, Ramanathapuram District

3.The Inspector of Police
Perunazhi Police Station
Perunazhi
Ramanathapuram District

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

+1 CC to M/s.S.SABBANIKARBURAJOTHI, Advocate (SR-87608[F] dated 19/09/2019)

Order made in
CRL.O.P (MD) No.13095 of 2019
19.09.2019

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JMN(20.09.2019) 2P : 6C