



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.14044 of 2019

Vellaisamy

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Muthukulathur
Ramanathapuram District

2.The State Rep. by
The Inspector of Police
Muthukulathur Police Station
Ramanathapuram District

3.Vaiyudaiyan

4.Shanmugam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Principal Sessions Judge cum PCR Judge, Ramanathapuram to consider the bail application of the petitioner on the very same day of his surrender and to release him on bail on the very same day itself, in connection with the FIR in Cr.No.138 of 2018 on the file of the second respondent police as well as in connection with the charge sheet in S.C.No.31 of 2019 on the file of the learned Principal Sessions Judge cum PCR Judge, Ramanathapuram

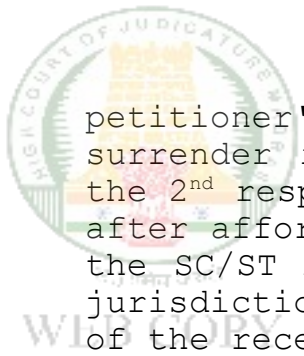
For Petitioner : Mr.M.S.Jeyakarthik

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 Sessions Judge cum PCR Judge, Ramanathapuram to consider the bail petition of the petitioner on the same day of surrender and dispose the same on merits and in accordance with law in crime No.138 of 2018 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 Principal Sessions Judge cum PCR Judge, Ramanathapuram , to consider the



petitioner's bail application, preferably on the same day of his surrender in connection with Crime No. 138 of 2018 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 (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Principal Sessions Judge cum PCR Judge,
Ramanathapuram
 2. The Deputy Superintendent of Police,
Muthukulathur
Ramanathapuram District
 3. The Inspector of Police
Muthukulahur Police Station
Ramanathapuram District
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.M.S.JEYAKARTHIK, Advocate SR-91237.

Order made in

CRL.O.P (MD) No.14044 of 2019

03.10.2019

CS (04.10.2019) 2P 6C